

R'd with earlier vols.

THELYPHTHORA;

O R,

A TREATISE ON FEMALE RUIN, IN ITS CAUSES, EFFECTS, CONSEQUENCES, PREVENTION, AND REMEDY;

CONSIDERED ON THE BASIS OF THE

D I V I N E L A W:

Under the following HEADS, viz.

MARRIAGE, ADULTERY,
WHOREDOM, and POLYCAMY,
FORNICATION, DIVORCE;

With many other INCIDENTAL MATTERS;

PARTICULARLY INCLUDING

An Examination of the Principles and Tendency of
Stat. 26 GEO. II. c. 33.

COMMONLY CALLED

THE MARRIAGE ACT.

VOLUME III.

ΔΙΑ ΔΥΣΦΗΜΙΑΣ ΚΑΙ ΕΥΦΗΜΙΑΣ.

2 COR. VI. 8.

"Whosoever attempteth any thing for the PUBLIC (especially if it pertain to RELIGION, and to the opening and clearing of the WORD OF GOD) the same setteth himself upon a *stage*, to be glouted upon by every evil eye; yea, he casteth himself headlong upon *pikes*, to be gored by every *sharp tongue*. For he that meddleth with men's *religion*, in any part, meddleth with their *custom*, nay, with their *freehold*; and though they find no content in *that* which they *bare*, yet they cannot abide to hear of *altering*."

Translators of the BIBLE. Preface to the READER.

L O N D O N:
Printed for J. DODSLEY.

M.DCC.LXXXI.

MEMORANDUM.

“ The grand question to be tried is —

“ Whether a SYSTEM filled with *obligation* and
“ *Responsibility*, of MEN to WOMEN, and of
“ WOMEN to MEN, even unto *death* itself,
“ and this established by INFINITE WISDOM,
“ is not better calculated to prevent the *ruin*
“ of the *female sex*, with all its horrid conse-
“ quences, both to the public and indivi-
“ duals, than a SYSTEM of *human contrivance*,
“ where neither *obligation* nor *responsibility*
“ are to be found, either of MEN to WOMEN,
“ or of WOMEN to MEN, in instances of the
“ most *important* concern to BOTH, but espe-
“ cially to the *weaker sex* ?”

See Vol. i. Pref. xxiii, xxiv.



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P R E F A C E

T O T H E

T H I R D V O L U M E .

THE AUTHOR was in great hopes, that, when he had finished the *Second Volume* of this *work*, his labours were at an end; nor had he any intention of carrying the *treatise* to any greater length. But, notwithstanding the clear and plain manner in which he thought he had laid the several matters therein contained before the *Reader*, and on a weight of *evidence*, which seemed to carry its own conviction with it—he was sorry to find himself not sufficiently *understood*, and that what was charged as *error*, and mere *human invention*, was still to be regarded in a much more respectable light.

The great and interesting *question* which was laid before the public for *examination* and *trial*, appeared at the end of the *Preface* to vol. I. It was repeated in the same words, by way of *memorandum*, facing the *first page*, vol. II. The reason of this was, that the *Reader* might be the more easily induced to carry in his mind the *question* which he was

VOL. III.

a

to

to *try*, while he was attending to the *evidence* on which it was to be determined.

Instead of taking the *whole* of the *evidence* together, as applying to the *whole* of the *question*, partial quotations of the *work* have been made and censured, and the *question* itself kept entirely out of sight. This, as far as the *Author* has yet seen, has been the method of opposition; therefore he saves himself the trouble of any farther remarks on his opponents, than to recommend to them a more serious and attentive perusal of the *work*, than they seem to have hitherto given it, and to connect the importance of the *question* with the *authority* of the *evidence* on which it is supported.

The *Author* has most evidently taken the *affirmative* side of the *question*, and flatters himself that he has uniformly pursued it throughout the *whole work*; nor has he the least notion of changing his opinion, till it can be proved, that *punishment* is an incentive to the commission of *crimes*—and that a most severe *responsibility* for our *actions*, tends to promote a *licentiousness* in our *determinations*.

Being conscious that nothing but the LOVE OF TRUTH, and a strong desire to make it known, as involving the *preservation* of his *fellow-creatures*, could have ever led him to the publication of a performance which carries with it so much opposition to our whole *system* respecting the *commerce of the sexes*—and thinking the affair of too much importance to be left in *doubt* as to its *original*—he not only

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has been at the pains to shew its unconformity to the *Divine system*, in the former parts of this work, but, as a farther proof of that point, now undertakes to manifest its derivation from, and almost entire and total conformity with, the *church of Rome*.

He could wish particularly, that those *pious* * ministers of the *gospel*, who have done

• One of these has lately published *two volumes of letters*, in which I find the following excellent advice.

His *correspondent*, it seems, was under some perplexity, from objections which had been made to the *writer's Calvinian principles*, and which had induced *somebody* to draw *consequences* of no very *favourable* kind to the *writer's plan*, set forth in his *printed sermons*—the *writer* being willing to satisfy his *correspondent*, and to settle his mind on the subject, sends him the letter in question, and, by way of introduction to what he says, begins thus—viz.

“ In the first place, I beg you to be upon your guard
“ against a *reasoning spirit*. *Search the scriptures*; and
“ where you can find a plain rule or warrant for any
“ *practice*, go boldly on, and be not discouraged because
“ you may not be clearly able to answer or reconcile
“ every *difficulty* that may either occur to your own
“ mind, or be put in your way by *others*. Our hearts
“ are very *dark* and *narrow*, and the very root of all
“ *apostacy* is a proud disposition to question the *necessity*
“ or *propriety* of *divine appointments*. But the child-like
“ simplicity of faith is to follow God without *reasoning*;
“ taking it for granted, a thing must be *right* if *He* di-
“ rects it, and charging all seeming inconsistencies to
“ the account of our *own ignorance*.”

The part which this *worthy* and *valuable* man (for such I have long known him to be) has taken with respect to *Thelyphthora*, constrains the *Author* to remind him of his *own salutary advice*, as well as to recommend an observance of it to every *Reader*. It must be confessed, that it is much easier to *give* advice than to *take* it.—See *Cardiphonia*, vol. ii. p. 68.

Thelyphthora the honour of publicly preaching against it, as well those who have red it, as those who have not (for this, it seems, has made no † difference) would give this *third volume* a very diligent perusal, as it may save them the trouble of inventing arguments to

† In a pamphlet which I have seen, published by way of *dialogue* between *Philaethes* and *Monogamus* — whom the writer introduces (as Mr. BAYES introduces the *Two Kings of Brentford* smelling to the same nose-gay) in the most perfect harmony and agreement throughout—there is an anecdote of “a certain minister, who being asked if he had red *Thelyphthora*, or intended to read it, replied “in the negative: and being asked what objection he had to giving it a reading, he answered—He did not chuse to try how much *arsenic* his constitution would bear.”—“PHIL. This answer expressed a most judicious sentiment, indeed,” &c.

Hamlet says, that “a knavish speech sleeps in a foolish ear”—and it may be thought, that, if this had been the case with this “judicious answer,” it would have been rather more for the credit of this “certain minister,” than to represent him as condemning a work, not only never having red it, but under a fixed determination never to read it at all. It must be not a little edifying, to hear so scrupulous, so conscientious a divine, preach on *Exod. xxiii. 1.*—or on *Matt. vii. 1, 2.*—or on that question of *Nicodemus*, *John vii. 51.*

As for those who have red the work, the *Public*, as well as the *Author*, is obliged to them for openly declaring their sentiments upon it, and for giving their reasons on which those sentiments are grounded—no cause can ever be fairly tried, but by an impartial examination of witnesses on both sides. How far it may be thought by others, that *Thelyphthora*, or any part of it, has met with an answer, I cannot say; but as for the *Author* himself, he remains—*qualis ab incepto*—and can only adopt the words of a learned and reverend correspondent, who writes him thus—“All letter-writers and publishers which I have hitherto red, only, in effect, tell me that your book is right.”

elude

THE THIRD VOLUME. ix

clude the force of *scripture-testimony*, and qualify them, if they chuse to *migrate*, for becoming DOCTORS of the SORBONNE—with a—

DIGNUS, DIGNUS EST INTRARE
IN NOSTRO DOCTO CORPORE.

MOLIERE.

One thing, however, may be worth observing in this place, which is, that some of the most violent against *Thelyphthora*, have *themselves* laid down, in their own comments on the *Bible*, the very *principle* on which the grand argument, which runs throughout the book, is founded—*viz.* that of the “obligation which men are under to *marry* the “women they *seduce*.”—ONE says — on Deut. xxii. 29—“Seduction of an unmarried woman was punished with a fine to “the father, and with an obligation to “marry the woman, without power to divorce her.” His observation on this is, that—“he who robs a woman of her honour, can never make her reparation but “by taking her for his wife.”—

ANOTHER thus comments on the same passage—“Happy will it be for that country, in which this *divine statute* is carried “into execution—it will save many from “ruin, both of *body and soul*.”

The Author of *Thelyphthora* very explicitly declares, that this “DIVINE STATUTE” includes *all men* without exception, as to their being *married* or *not*, for which he appeals to * the words of the

* See vol. i. p. 254—9. 2d edit.

statute,

statute itself, compared with those of ver. 22. and ver. 25; and asserts, that it was never *repealed*. (See vol. i. Introd. p. 10.) And, furthermore, he would hereby be understood to *challenge* his adversaries to prove the contrary.—One thing is clear, that God *has not* repealed it; and it is equally clear, that man *cannot*.—The *Author* is entirely of opinion with the last-mentioned *commentator*, that, “if this DIVINE STATUTE was carried into * execution, it would save many “from ruin, both of *body* and *soul* ;” and on *this position* has he ventured his work into the *world*.

It must be confessed, that the above *comments* are so *cautiously* worded, as to leave a *niche*, as it were, in which may be placed the word *unmarried*—“*If any unmarried man,*” &c.—This has actually been done by some—(see before vol. i. 258. 2d edit.)—but as it has not been done by the LAWGIVER HIMSELF—and I am for giving HIM credit for knowing *best* how to express HIS OWN MEANING—I doubt not, that, if HE had had any *other* than what appears from the *passage itself* as it stands, and indeed from the whole texture of the *Jewish law*, He would not have left it, either to the JEWISH *rabbies* or CHRISTIAN *expositors*, to have made it out—but have been as *particular* with regard to the description of the *man*, as HE is with respect to that of the *woman*.—I own my-

* How the *spirit* and *intention* of it might, in some measure, be complied with, even in a *monogamous* country—see vol. i. p. 290, and n. 2d edit.

THE THIRD VOLUME. xi

self to be one of those people who *despair* of ever seeing an *edition* of the DIVINE LAW *auctior & emendatior*—or any other *plan* whatsoever proposed, equal in *wisdom, purity, and holiness*, or so nicely and exactly calculated to preserve the *chastity* of women from the violation to which it is now subjected, by an almost total *irresponsibility* of the men towards them.—For this, we little think ourselves *chiefly*, if not *wholly*, indebted to the *Pope* and his *clergy*—but so it is, as from the authentic testimonies, recorded in the following extracts from their proceedings, will be made manifest.

The daring insolence of *mortals*, in laying aside the *oracles* of God, and, in defiance of the fixed and determinate *laws* of *Heaven*, taking upon themselves to frame such *plans*, and to devise such *schemes*, as seemed to them good—*making* or *unmaking* marriage, as in God's sight, just as they saw most conducive to their own *interest* or *ambition*—raising *impediments* which are unwarranted by the scriptures, and inventing *obstacles* which oppose the mind of God as revealed in those scriptures—*vacating* obligation which God hath made, and *continuing* obligation which God hath vacated—*putting* those *asunder* whom He hath joined together—and *joining* together those whom He hath put *asunder*—forbidding to marry where He has allowed it, and even *commanded* it, and allowing to marry where He has forbidden it—this, by *dispensing* with His
laws

xii PREFACE to the THIRD VOLUME.

laws in some instances, and rejecting them in others—making no sin where God hath made it, and making it where God hath not made it—assuming powers and offices in God's name, which He hath no where warranted—obscuring by human rites and ceremonies the simple and clear nature of divine institutions—putting human laws in the place of God's commandments—dealing distress, destruction, and ruin among their fellow-creatures, under colour of God's authority—and, to this end, misconstruing and misinterpreting the very scriptures which were revealed for their preservation—thus seething the kid in its mother's milk:—all this, and much more, will be opened to demonstration, in the following extracts from the annals of the church of Rome.

It then will evidently appear, by what means, and by what degrees, marriage, and every thing belonging to it, has been taken out of God's hands into the hands of men, and on what authority that system is built, which we are accustomed to think so highly of, and, consequently, from whence is derived that source of female misery, which so loudly calls for redress, and of that power to destroy without limitation or restraint, now indulged to mankind.

—Longa est injuria, longæ
Ambages, sed summa sequar fastigia rerum.

VIRG.

THELYPH-

THELYPHTHORA.

INTRODUCTION.

THE Apostle Paul, 1 Tim. chap. iv. 1—3. foretells many of those errors which afterwards arose in the *Christian Church*, through the *seduction* of those evil *spirits*, which would possess the minds of men, and lead some to teach, and others to follow their pernicious ways.—THE SPIRIT (saith he) *speaketh expressly*, that, *some shall depart from the faith*, (i. e. *the faith once delivered to the saints*. JUDE 3.) And he instances one particular among others to be—FORBIDDING TO MARRY, ver. 3.—thus disannulling the order of God and *Nature*, and exposing mankind to all the temptations and mischiefs of *unchastity*.

These *seducing spirits transformed themselves into angels of light*, (See 2 Cor. xi. 14.) and taught the *Christians* to oppose and reject the plain and positive *command* of God, and, under the deceitful guise of higher degrees of *piety*, *purity*, and *holiness*, to

prefer *celibacy* and *virginity*, which God has *not commanded*, before *marriage*, which He has *ordained* and *commanded*, for the *propagation, continuance, and preservation* of the HUMAN SPECIES.

The *precepts* and *examples* of the *Hebrew scriptures*, in which the *mind* and *will* of the CREATOR were fully *revealed*, availed nothing — these were thrown aside from bearing *their testimony* in the matter.—The writings of the New Testament afforded certain passages, which were wrested from their *meanings*, and distorted and pressed into the service of *error* and *delusion*.

This *mystery of iniquity* (See 2 Theff. ii. 7.) began to work very early; and in some of the earliest *apologies* of the *Christian Fathers*, a *single* life is spoken of in terms, which clearly prove the preference which was given to it in their esteem.

All this was greatly increased — εν υποκρισει ψευδολογων — *through the hypocrisy of men speaking lyes*, [Castal. in loc.] and laid the foundation of what happened, when, in after times, *Churchmen* found it very highly to their advantage, to make the world believe, that the *antient laws* of God, relative to the *commerce of the sexes*, were all *antiquated* and *abolished* — that JESUS CHRIST had introduced an entire *new system*—and the *Pope*, as CHRIST's *Vicar*, was to *model* that *system*, as *He* and the *Church* should think proper.

In order to elucidate and evince this, it

shall now be my business to lay before the *Reader*, in a regular series, the defections of *men* from the *laws* and *ordinances* of the **MOST HIGH**, with regard to the *above* subjects—by which it will appear, how evidently we stand indebted to *Romish* priestcraft and superstition, for almost every idea which the *system* of the *Protestants* exhibits to us respecting *matrimony*, and all that concerns it.

I have only to observe, that the writer, whom I chiefly follow in the ensuing collections, is *Du Pin*, who, though a *Romanist*, and a doctor of the *Sorbonne*, was a very honest writer, too much so for the *Church* he lived in; and therefore he was censured, and bitterly persecuted, at the instigation of the *Bishop* of *Meaux*, for speaking his mind so liberally. The free censures which he passed on the writings of the ancient fathers of the Church—and his asserting the privileges of the *national* churches against the pretensions of the *court* of *Rome*—were sufficient to awaken the thunder of the *church* artillery—and to bring on him a charge of *heresy*—which ended in a decree of the parliament of *Paris*, for the suppression of his book.

This is a *mode* of *argumentation* which *Churchmen* have often had recourse to, when the *craft* has been endangered, and when writings which have threatened the *mala-die du metier*, have appeared before the eyes of the world.

C H A P. XII.

Shewing by what Means, and by what Degrees, the Laws of JEHOVAH, concerning Marriage, were opposed and abrogated, and a NEW SYSTEM invented and established, by CHRISTIAN CHURCHMEN.

C E N T U R Y I. and II.

CENT.
I. and II.

IT is no easy matter to lay before the Reader, a detail of historical facts, relative to the transactions of the *latter* part of the *first* Century, and the beginning of the *second*, from any of the *Ecclesiastical Histories*; I know of none which were written at that time; for the *works*, which bear the name of *Dionysius the Areopagite*, were forged in the *5th Century*, and illustrated with annotations by *John of Scythopolis* in the *6th*. See *Mosheim*, vol. i. p. 298, 408. note u. Macl. edit.

The first testimony, therefore, with which I shall begin, is of the *epistolary* kind, and this, under the hand of *Clemens* Bishop of *Rome*. At the end of *Wetstein's* New Testament, vol. ii. are to be found two *epistles* of "St. *Clement* the Roman, disciple of "St. *Peter*, taken from the book of the Syriac MS. of the New Testament." *Wetstein*, in order to prove they are genuine, cites two testimonies, one of St. *Jerome*, the other of *Epiphanius*: the first of which, c. *Jovinian*,

c. *Jovinian*, lib. i. writes thus — “ Hi CENT.
I. and II.
 “ sunt eunuchi, quos castravit, non neces-
 “ sitas, sed voluntas propter regnum cæ-
 “ lorum. Ad hos & *Clemens* successor *Apos-*
 “ *toli Petri*, cujus *Paulus Apostolus* memi-
 “ nit (Phil. iv. 3.) scribit *epistolas*, om-
 “ nemque penè sermonem suum de virgini-
 “ tatis puritate contexuit, & deinceps mul-
 “ ti *Apostolici* & *Martyres*, & illustres tam
 “ sanctitate quam eloquentia, quos ex pro-
 “ priis scriptis nosse perfacile est.”

“ These are *eunuchs*, which, not neces-
 “ sity, but their own will, hath *castrated*
 “ for the kingdom of heaven. To these
 “ *Clement*, the successor of the apostle
 “ *Peter*, (of whom the apostle *Paul* makes
 “ mention Phil. iv. 3.) writes *epistles*, and
 “ almost his whole discourse relates to the
 “ purity of *virginity*. After that, many
 “ *apostolical* men and *martyrs*, and illustrious
 “ as well for sanctity as eloquence, whom
 “ it is very easy to know from their own
 “ writings, did the same.”

Epiphanius, (Hæres. 30. of the *Ebionites*,
 n. 15.) says, “ That *Clement* taught *virgi-*
 “ *nity*, in all the circular *epistles* which he
 “ wrote, and which were read in the
 “ Churches.”

The *epistles* themselves appear in *Syriac*,
 with a *Latin* translation; by which it seems
 evident, that this *saint* was as great an
 advocate for *virginity* as *Jerome* was him-
 self.

Clement says,—“ Whosoever professeth
 B 3 “ before

CENT.
I. and II.

“ before the LORD, that he will preserve
 “ his *chastity*, ought to be girt with every
 “ holy virtue; and if indeed he hath
 “ *crucified his body* for the sake of piety,
 “ he prays against the Word, which saith—
 “ INCREASE AND MULTIPLY, and the
 “ whole mind, and cogitation, and concu-
 “ piscence of this world,” &c.—and after-
 “ wards—For he who desires for himself
 “ these great and excellent things, on that
 “ account is discharged, and separates him-
 “ self, from the whole world, that he may
 “ go away, and live a divine and heavenly
 “ life, like the *holy angels*,” &c. “ On
 “ this account he separates himself from
 “ all the desires of the body, and not only
 “ prays against that — “ BE FRUITFUL
 “ AND MULTIPLY” — but desires that
 “ hope, promised, prepared, and placed in
 “ heaven with God, who promised with
 “ his mouth and lyeth not, who is greater
 “ than *sons* and *daughters*, and will give
 “ to *virgins* a famous place in the house
 “ of God, more *excellent than sons and*
 “ *daughters*, and more excellent than to
 “ those who were yoked together in holi-
 “ nefs, and who are not polluted by their
 “ *matrimonial intercourse*.”

A deal more of such *impious piety* is to
 be found in other parts of these *epistles*;
 but these quotations may serve to shew,
 how very early it became a fashion, in the
Christian church, to put imagination in the
 place of scripture, and to invent schemes
 of

of *sanctity*, which directly militated against the *will* and *word* of GOD, as revealed in the *holy* scripture. CENT.
I. and II.

What GOD had *honoured* with His *primary* blessing (Gen. i. 28.) they were to *deprecate*—what he *commanded* they were to *avoid*—and, in short, it seems as if the way to be thoroughly *holy*, was to counteract all that GOD had *done* and *said* upon the subject of marriage, by every method they possibly could, even to the “avoiding the speech and society of the “*other sex*, as the *contagion of a plague*.” How this foundation was built upon in later times, the sequel will very sufficiently shew.

If the *reader* will turn to Is. lvi. 4, 5. which is the scripture alluded to in the latter part of the above quotation, he will see how the word of GOD could be perverted and abused, to answer the purposes of these delusions.

As for the *genuineness* of these two *epistles*, the reader may find what is said on that subject by *Wetstein*, vol. ii. N. T. Proleg. at the end of the *volume*; who seems to entertain little doubt of the matter.

EUSEBIUS PAMPHILUS, Bishop of *Cæsarea* in Palestine, a writer of the *fourth century*, whom *Mosheim* speaks of, as “a “man justly famous for his profound “knowledge of ecclesiastical history,” (Mosh. vol. i. p. 186.) has left us an *history of the church*; and in that part of it

CENT.
I. and II.

which relates to the above period, he tells us (B. 3. c. 29.) that—" at this
 " time the *heresy* called the heresy of the
 " *Nicholaites*, continued a very short time;
 " of which also the *Revelation* of *John*
 " makes mention. These boasted of *Ni-*
 " *cholas* (one of the *deacons*, who, toge-
 " ther with *Stephen*, were ordained by the
 " apostles to minister to the poor) as the
 " author of their sect." *Eusebius* then cites
Clemens Alexandrinus, who flourished about
 the year 192, as a voucher for the follow-
 ing story, which he professes to transcribe
 from *Clemens*, word for word.—He (i. e.
 " *Nicholas* the *deacon*) they say, having a
 " beautiful *wife*, being, after our SA-
 " VIOUR's ascension, blamed for his jea-
 " lousy by the *apostles*, brought his wife
 " forth, and permitted her to marry
 " whom she had a mind to, saying—*δεῖ*
 " *παραχρᾶσθαι τῇ σαρκί*—that *we ought to*
 " *abuse the flesh*. Those therefore who
 " follow his *heresy*, simply and rashly
 " assenting to this saying, and imitating
 " this deed, do most impudently give
 " themselves over to *fornication*. But I am
 " given to understand that *Nicholas* made
 " use of no other woman, besides her he
 " married; and that those of his children
 " which were daughters, remained *virgins*
 " when they were old; and his *son* con-
 " tinued *undefiled* by *women*. Which
 " things being thus, his bringing his
 " *wife* (over whom he is said to be *jealous*)
 " to

“ to the *apostles*, was a sign of his reject-
 “ ing and bridling his passion; and by
 “ those words of his, that *we ought to*
 “ *abuse the flesh*, he taught *continence*, and
 “ an abstaining from those pleasures,
 “ which are with so much earnestness
 “ desired by men. For, I suppose, he
 “ would not, according to our SAVIOUR’S
 “ commandment, *serve two masters*—Plea-
 “ sure and the LORD.

“ Moreover they say, that *Matthias*
 “ taught the same doctrine, that we should
 “ war against the flesh, and *abuse it*, al-
 “ lowing it nothing of pleasure; but that
 “ we should enrich the soul with faith
 “ and knowledge.

“ But *Clemens*, whose words we have
 “ even now cited, after that passage of his
 “ before quoted (saith *Eusebius*) does
 “ reckon up those *apostles* that are found
 “ to have been *married*, upon account of
 “ such as despise *marriage*, saying, what
 “ will they reprehend even the *apostles*
 “ also?”

Now though there are historical facts
 recorded by this *Clemens*, as well as by
Eusebius himself, which deserve about as
 much credit as *Mother Goose’s Tales* *, yet

* Among others, that foolish story of a *devil*, that
 had taken up his residence at *Rome*, to whom *Simon*
Magus went when *Peter* had preached him out of
Judea, and by the assistance of this *devil*, *Simon* pre-
 vailed

CENT.
I. and II.

it is easy to perceive, that *marriage* itself fell into great disrepute among the very early *Christians*:—and *Dr. Cave*, as has been already noticed, (see *Thelyph.* vol. ii. p. 120. 1st edit. p. 112. 2d edit.) has collected evidence enough of this fact, to leave it without a doubt.

This *Clemens of Alexandria*, whatever he might write on behalf of *marriage* itself, did not approve of *second marriages*. *Du Pin*, who reckons *Clemens* among the writers of the *third century*, says, that though he does not entirely condemn *second marriages*, yet he *blames* them; that he held the *dæmons* to have sinned through *incontinence*; that it is not *lawful* to *marry*, but with a design of begetting children.

The learned Bishop NEWTON, in his ingenious and edifying “*Dissertations on the Prophecies*,” (vol. ii. p. 443.) observes from *Theodoret*, who was a writer of the *fifth century* (see *Mosheim*, vol. i. 246. Edit. Macl.) that “*Saturninus* or *Saturninus*, who flourished (early) in the second century, was the first *Christian* who declared matrimony to be the doc-

vailed on the inhabitants of *Rome* to set up an image to him, and worship him as God. But on *Peter's* following *Simon* to *Rome*, and preaching there, *Simon* and his *familiar* were silenced, his power extinct, and the man himself destroyed.

Another foolish story *Eusebius* cites out of *Clemens Alexandrinus*, of *Peter's* wife suffering martyrdom, and of the conversation between *Peter* and her on the occasion.

“*trine*

“ *trine of the Devil*. But according to **CENT.**
 “ *Irenæus* and *Eusebius*, *Tatian*, who had **I. and II.**
 “ been a disciple of *Justin Martyr*, was
 “ the first author of this *heresy*; at least
 “ he concurred in opinion with *Satur-*
 “ *ninus* and *Marcion*, and their followers
 “ were called *Encratites* — *Continents* —
 “ from their *continence* with regard to *mar-*
 “ *riage* and *meats*.

“ The *Gnostics* likewise, as *Irenæus*
 “ and *Clemens Alexandrinus* inform us, as-
 “ serted, that to marry and beget children
 “ proceeded from the *devil*; and, under
 “ pretence of *continence*, were impious
 “ both against the *Creature* and the CRE-
 “ ATOR, teaching that men ought not
 “ to bring into the world others, who
 “ would be unhappy, nor supply *food* for
 “ *Death*.”

TERTULLIAN

Absolutely condemns *second* marriages,
 as being *adultery*—as did the whole sect
 of the *Montanists*. This father apologizes
 for the contempt of marriage among the
 early *Christians*, from their apprehension
 that the end of the world was near, and
 that this circumstance vacated the necessity
 of begetting children. See before, *Thelyph*,
 vol. i. p. 170. 2d edit. n.

ATHENAGORAS

Commends *virginity*—condemns *second*
 marriages, calling them *honest adultery*.

CEN-

CENT.
III.

CENTURY III.

MINUTIUS FELIX

Says—The *Christians* commonly *marry* but *once*, and that they have no other design in their marriage, but the having of children.

ORIGEN.

The violence which this father did on himself is well known;—he was much blamed for it in general—but, DEMETRIUS, bishop of *Alexandria*, commended his zeal, and the fervency of his faith, and bid him not be discouraged on that account. In his time they did not admit persons that were *twice* married into *holy orders*.

He says, we ought not to *make use* of *marriage*, but * only for the sake of having children. He at last fell into many errors and strange opinions—and there were disputes in the *church* whether he was *saved* or *damned*:—much it signifies to him, which way the disputants determined the question.

CYPRIAN,

Who, when he was a *Catechumen*, resolved on *continency*, says much of the

* Compare 1 Cor. vii. 4, 5.

great advantages of *virginity*; that it was the nearest state to that of *martyrdom*; that *virginity* is not of absolute necessity, but a great deal more *excellent* than *marriage*—and desires the *virgins* to remember him when they receive the recompence of their *virginity*—"Words," says *Du Pin*, "which make it appear, that, in *St. Cyprian's* time, they believed that the saints interceded for us before God."

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III.

The book of the *celibacy of the clergy* is extremely useful (says *Du Pin*.) In it he proves, that *churchmen* ought not to live with *women*.

METHODIUS,

Bishop of Olympus, and afterwards of Tyre, who, in a book intituled the *Banquet of Virgins*, has given as much *pious* nonsense on the subject of *virginity*, and its preference to *marriage*, as almost all the preceding fathers put together.

In *Du Pin's* summary of the discipline of the 3d century, he says, that it was lawful for *priests* to keep the wives they married before they were ordained, but marriage was never permitted after ordination; but both the one and the other was allowed to *deacons*. *Monks* were not as yet instituted; but there were abundance of persons of both sexes among the *Christians*, that lived in a state of *celibacy*, and cheerfully submitted to the austerities of an ascetic life. There were likewise some women,

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III.**

women, in the *third age* of the church, that solemnly obliged themselves to keep their virginity all their life-time.

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IV.**

C E N T U R Y IV.

For an account of the Emperor CONSTANTINE's encouragement of *celibacy*, see before, *Thelyph.* vol. ii. 281. n. 1st edit. 252. n. 2d edit.

EUSEBIUS of *Cæsarea*,

Praises the state of virginity as more perfect, and the celibacy of priests, without *blaming* marriage.

ATHANASIUS,

In a letter to *Ammon* the monk, refutes the error of some, who condemned the use of marriage, and shews, from scripture, that it is *permitted*, and that it is impiety to condemn it, though virginity is a *more perfect* state, and *deserves* greater rewards.

HILARY,

In his commentary on Psalm cxix. observes, that *celibacy* is more *perfect* than a state of *marriage*.

He approves of *vows*, and *invocation of saints*, and praises *celibacy*.

DIDYMUS of *Alexandria*,

Of whom *St. Jerome* was a disciple—
teaches,

teaches, that the use of marriage, though it is permitted, is called *sin* in comparison of *virginity*, which is a much more excellent state.

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CYRIL of *Jerusalem*,

Takes notice that *virginity* is the more perfect state, but that married persons *may* hope for salvation, provided they use marriage aright. That their intention should not be to satisfy a brutal passion, but to have children. That we ought not to condemn *even* those who proceed to *second* marriages; and that this *weakness* should be pardoned in those who stand in need of this remedy to avoid fornication.

ST. EPHRAIM of *Syria*,

Answered one of his *monks*, who asked him, who they were that might use that liberty which *St. Paul* gives to marry, *rather than to burn*? that it concerns only those who are not bound, and who live in the world, but not those who have renounced the world, and embraced a religious life.

He has a treatise, to shew the excellencies of a monastic life above the secular.

ST. BASIL of *Cæsarea*,

Was the first founder of a monastic life in *Pontus* and *Cappadocia*. He taught, that there are many things *forbidden* in the *Gospel* which the *Law* permitted; that the passage

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sage of *Genesis*, "*Increase and multiply;*" does *not* respect the * *New Testament*. He observes, that *second* marriages are a remedy against fornication, and not an inlet to immoderate lust; but he condemns *third* marriages as a kind of *fornication*, and says that the custom of the church was to *excommunicate* those who married a *third* time, for *five* years—that, in other places, they were only put under *penance* for two or three years. He enjoins the same thing to *bigamists*, for one or two years: though he would have neither the one nor the other reduced to the lowest *penance*—that they should be in the first years in the rank of *bearers*—the last years they should partake of the *prayers*—though they were still excluded from the participation of the *eucharist* 'till their *penance* was finished, and they had given signs of their conversion.

Can. 12. He declares, that the *canons* wholly exclude all *bigamists* from ecclesiastical functions.

* The reader may have observed before, p. 6. how early the *Christian* fathers began to *break ground* for a siege against the Old Testament, with respect to marriage. Here the *trenches* are fairly opened;—as we proceed, we shall find the *besiegers* very active—and that when the *Pope* and his *clergy* could bring the heavy artillery of their *canons* and *decrees* to bear, they played upon it 'till they left little else standing, beside its *impregnable testimony* against their wicked contempt of the *divine law*.

Can.

Can. 18. *St. Basil* observes, that the antients did not treat the *virgins* consecrated to God, who abandoned their profession, more rigorously than *bigamists*; they imposed only a penance of *one year*: but he adds, that the church, and the number of *virgins*, increasing every day, they should be treated as *adulterers*.

Can. 19. He observes, that men make no vow nor profession of virginity, as *virgins* do; that those who enter into a monastical state seem tacitly to embrace *celibacy*; but, to oblige them to it, it was necessary they should be asked, and that they should make profession, and then if they should pass to a voluptuous life, they should be punished as *fornicators*.

Can. 24. Is against *widows*, who, being *deaconesses*, married afterwards. He would have them more severely punished than *bigamists*, if they be above 60 years old. He excuses them if they be younger, because it was the bishop's fault to receive them too young.

By Can. 25. It is provided, that he who shall *marry* a woman after he hath *abused* her, shall be put under penance, but he shall have *leave* to keep her for his wife. *N. B.* The law of God positively says, *she shall be his wife*. See *Exod. xxii. 16. Deut. xxii. 28, 29.*

In Can. 26. He declares that *fornication* is never *marriage*, and that it cannot lawfully be the beginning of marriage; and

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therefore it would be better to part those who have committed this sin, than to marry them together; but yet, if they have a mind to marry, they should not be hindered, lest some greater mischief should follow.

Qu? If by *fornication* this *father* means, the coming together without the rites of the church—how doth this *canon* agree with the scriptures above referred to?

Can. 40. A slave, who marries without consent of his master, has committed *fornication*, his marriage being void.

Can. 50. The laws do not forbid nor punish *third* marriages, and yet the church looks upon them as *shameful* actions.

The treatise of true virginity, contains many precepts for preserving *virginity*. In it he extols very much the state of *virgins*, &c. There are in this treatise some passages which may offend nice ears; but it is to be considered (says Du Pin) it is addressed to a bishop, and not to the *virgins* themselves. But qu.? If the *virgins* did not read or hear it, how were they to be the better for it?

This *father* says much of a law of JESUS CHRIST—and of the *morality* of JESUS CHRIST—and seems to be one of those, who laid a foundation for separating the Old Testament from the New, by making CHRIST a new *lawgiver*, and a teacher of a new system of *morality*, independently of the law of *Moses*.

ST.

ST. GREGORY NAZIANZEN

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Says, that marriage is commendable, where the parties are contracted with a design of having children; but he prefers virginity to marriage.

In his poem in praise of virginity, he handles, with much wit and eloquence, the question about the pre-eminence of celibacy above marriage—he then brings in *married persons*, and those who observe *celibacy*, speaking for both their opinions; each of them says all that can be said in favour of their state, but the *latter* have the *better*.

ST. GREGORY NYSSEN

Wrote a treatise on virginity, wherein he describes the advantages of *virginity*, and the inconveniences of *marriage*.

This father speaks out about a *new law* and an *old law*, and seems to leave the *latter* out of the question. “*Sacrilege*,” says he, “was punished under the *old law*, by stoning to death—yet this punishment was mitigated under the *new law*, and now sacrilegious persons are treated less harshly than *adulterers*.”

There is a passage in this *father's* writings, which shews how little regard they paid to the *moral law* of the Old Testament.—“Though the scripture” (saith he) “reproves all sins severely, yet the

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"*fathers*" (i. e. of the Christian church)
"have made *no laws* but against *murder*."

He imposes twenty-seven years penance for *wilful murder*, and for involuntary murders the same space of time as for *fornication*, yet he allows "this penance to be diminished according to the fervor of the penitent."

So that God's law, Gen. ix. 6. was quite laid aside. A strong instance this, of the small attention they paid to the *Old Testament* in forming their systems.

TIMOTHY OF ALEXANDRIA

Would have persons that are married, abstain from the use of marriage *Saturday* and *Sunday*, that they may be capable of receiving the holy communion.

SIRICIUS, *Pope of Rome*, anno 385,

Can. 7th. He declares, that every *clergyman* who shall marry a *second wife*, or a *widow*, shall be turned out of holy orders, and reduced to lay communion. And he declares, that if for the future any *bishop*, *priest*, or *deacon*, shall not continue *unmarried*, he is to hope for no more pardon; because it was necessary to cut off, with the knife, those sons which could not be cured by other remedies.

The 8th Can. is against those who get themselves *ordained* after they have had *several wives*.

Can. 9.

Can. 9. Says, that a man may be an *acolyth* or *subdeacon*, provided that he marries but once, and then does not marry a *widow*. That, after, he should be ordained *deacon*, if he obliges himself to live *unmarried*.

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ST. AMBROSE, Bishop of MILAN,

Wrote *three books* in praise of *virginity*. In which he treats at large on the excellency of *virginity*. He shews that this virtue came from heaven, that GOD is the author of it, that the Heathens neither knew it, nor practised it as they ought; that the *Jews* themselves did not esteem it, and that it was not common among men 'till JESUS CHRIST came into the world. Afterwards he gives a catalogue of the advantages which *virginity* has above the marriage-state. "I do not condemn marriage," (says he) "but I will prove that *virginity* is more excellent;"—and then says all he can to frighten women from marrying.—He reproves mothers who hindered their daughters from coming to hear him, lest they should embrace *virginity*, and commends those *virgins* who devoted themselves to GOD without their parents leave.

He wrote also a treatise of *widows*, wherein he exalts the state of *widows*, who do not marry again, as approaching near to the perfection of *virgins*. He does not abso-

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lutely condemn either *first* or *second* marriages, but he prefers the state of *virgins* and *widows* before that of *married women*.

He complains that there were few at *Milan*, who *profited* by his instructions; whilst a great many virgins, not only from *Bologna* and *Placentia*, but from *Mauritania*, came to receive the veil at *Milan*.

ST. EPIPHANIUS

Praises *virginity*, but does not condemn marriage, nor yet *second* marriages; but declares plainly, that the church does not admit any to holy orders, but such as observe *celibacy*, and that she excludes *bigamists*. He confesses, that there are still some places where the *deacons* and *sub-deacons* do not observe *celibacy*, but adds,—“ This is done upon sufferance, because of the weakness of men, or the multitude of people.” Lastly, he says, “ It is a great sin to violate the *vow* of *virginity*.”

Having briefly extracted some *opinions* of the *Fathers*, I will now lay before the reader, the *wisdom* of some of the *Councils*.

Council of ELIBERIS, anno 305.

Can. 7th. Those that relapse into *adultery*, after they have undergone *penance*, shall not be received even at *death*.

Can. 8th. Subjects a woman to the same

same penalty, who has forsaken her husband, without cause, to marry another.

Can. 14. Treats *virgins* with much moderation, who have lost their *virginity*: if they *marry* those who have abused them, they are restored to communion at the end of one year, without being obliged to do penance; but imposes *five* years penance if they had to do with other men.

Can. 19. Ordains, that communion shall be refused, even at the point of death, to *bishops*, *priests*, and *deacons*, who have committed *adultery*.

Can. 61. Imposes penance of five years upon him that marries his *wife's sister*, unless the extremity of sickness oblige us to give him the peace of the church sooner.

Can. 65. If a clergyman knows that his wife commits *adultery*, and sends her not away, he is unworthy of the communion of the church, even at the point of death. *N. B.* This *canon* is an authentic evidence of the marriage of the clergy in the church of *Spain* at this time.

Can. 69. Imposes but five years penance on those who have fallen but *once* into the sin of *adultery*.

Can. 70. If a woman commit adultery with the consent of her husband, he is unworthy of the communion at the point of death; but if he divorces her, he may be received after ten years penance.

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Can. 78. Imposes on him who commits *adultery* with a *Pagan* or *Jewish* woman, a penance of *three* years, if he confesses his crime, but of *five* years if detected by the testimony of others.

Council of ARLES, *anno* 314.

Can. 10. Those who find their wives in the act of *adultery*, must be counselled not to marry others, though the law permits them to do it.—BRAVO!

Council of ANCYRA and NEO-CÆSAREA,
anno 314.

There are twenty-five canons of the Council of ANCYRA.—The 10th concerns the celibacy of *deacons*. If they declared, at the time of their ordination, that they would marry, they shall not be deprived of their function if they did marry; but if ordained without making this declaration, and afterwards married, they should be obliged to quit their employment.

Can. 16 and 17. Imposes long penances on those who have committed crimes contrary to nature. See Lev. xx. 13.

Can. 20. Imposes *seven* years penance for *adultery*. See Lev. xx. 10.

Can. 21. The synod observes, that the ancient *canons* delayed the absolution of those women, who, having committed the sin of *adultery*, murdered their *infants*, 'till death;

death ; but, to mitigate this punishment, it imposes upon them only *ten* years penance. Note, For *adultery* and *child-murder*!

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N.B. The canons of this council are signed by eighteen bishops. BRAVI TUTTI.

NEO-CÆSAREA.

Can. 1. If a *priest* marries after he has been ordained, he ought to be *degraded*.— If he commit *fornication* or *adultery*, he ought to be punished more rigorously, and put under *penance*.

Can. 3. The time of *penance* of those who marry *often*, is regulated by the *canons*, but it may be shortened proportionably to the conversion of the *penitent*, and the fervour of his *penance*.

Can. 7. Forbids *priests* to be present at the marriage of *bigamists*.

Can. 8. He cannot be admitted into holy orders, whose wife has been convicted of *adultery*.

Can. 9. If a *priest* who has committed the *sin of the flesh* before ordination, confess his crime, he ought no more to offer, but he shall enjoy all his other rights : for as to *other sins*, 'tis thought, that they are pardoned by the imposition of hands. But if he does not confess his crime, and cannot be convicted of it, he shall be left to his own conscience.

Can. 10. A *deacon* committing the same crime before his ordination, shall be placed in the rank of the other ministers.

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Council of NICE, anno 325.

This was called an *Oecumenical*—i. e.—a council of the *whole world*, because it was called together by the emperor *Constantine* from all parts of the *Roman empire*, and was composed of the *eastern* and *western* bishops.

Can. 3. Forbids *bishops, priests, and deacons*, and other *clergymen*, to keep women in the house with them; yet it excepts mothers, sisters, and other persons of whom there could be no bad suspicion. *N.B.* Nothing is said of *wives*.

In this *council* a canon was proposed for obliging *bishops, priests, and deacons*, who were married before ordination, to observe *celibacy*; but *Paphnutius*, a venerable confessor and prelate, withstood this, and brought the council to consent, that every one should be left to their liberty, and need not abstain from their wives unless they were willing so to do. See *Jortin Rem.* vol. ii. p. 249.

Council of LAODICEA, between 360, 370.

Can. 44. *Women* ought not to come near the *altar*.

Can. 52. That *marriages* should not be celebrated in *Lent*.

Council of VALENCE, anno 374.

Can. 1. Those are not to be ordained who have been *twice* married, or those who have

have espoused a *widow*, whether they did it before or since their *baptism*: but they do not intermeddle with the ordinations of *bigamists* made before their decision, lest they should disturb the *church*.

Can. 2. *Penance* shall not be allowed immediately to those *virgins* who *married* after they had made a vow of *virginity*, and they shall not be received until they have made *full satisfaction*.

Council of SARAGOSA, anno 381.

Can. 8. Forbids *virgins*, that are devoted to JESUS CHRIST, to be *veil'd*, except they be forty years of age.

Councils of ROME and of MILAN against JOVINIAN, anno 390.

Though we ought not to despise marriage, yet *virgins* are more to be honoured. Their second letter contains *proofs* of these truths; and it is shewn, that the Blessed Virgin lost not her *virginity* by bringing forth JESUS CHRIST into the world.

First Council of CARTHAGE, anno 348.

Can. 2. Forbids those persons who profess *virginity*, to cohabit or to have familiarity with any persons of the other sex, under pain of *excommunication* for the *laity*, and of *deposition* for the *clergy*.

Can. 4. Contains the same prohibition to *widows*.

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Councils of CARTHAGE, anno 397.

Can. 4. Forbids the consecration of *virgins* before the age of twenty-five years.

Can. 17. Forbids *clergymen* to cohabit with strange women, and permits them only to live with their mothers, grandmothers, aunts, sisters, nieces, and those of their *domestics* who dwelt in the house with them before their *ordination*.

Can. 19. Readers are to be obliged, when they come to age, to *marry*, or to make the *vow of chastity*†.

Can. 33. When *virgins* lose their relations who took care of them, the *bishop*, or, in his absence, the *priest*, ought to place them in a *nunnery*, or commit them to the care of women of known probity.

Can. 36. *Priests* shall not consecrate *virgins* without the *bishop's* permission—they are absolutely forbidden to make the holy *chrysm*.

Council of CARTHAGE, anno 398, called the *fourth*.

There are 104 canons relative to the ordination of *bishops*, &c.; and it is ordained, that every *bishop* shall be interrogated about the errors *common in Africa*, and among others—"Whether he does not condemn "*marriage, and second marriages?* Whether he believes it is the same God who

† This is something like "a wife, or a mittimus."

“ is the author of the *Old and New Testament*, the *Law* and the *Gospel* ?”

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Can. 10. *Virgins* who would be consecrated by the *bishop*, should present themselves in habits agreeable to their profession and vocation, like to those which they are to use for the future.

Can. 11. Those who are *contracted*, and would receive the *benediction* of *marriage*, ought to be accompanied by their kindred, and to abstain from the use of marriage the night after the *benediction*.

Can. 104. Excommunicates *widows* who marry again, after they have made profession of *celibacy*.

D^o, anno 401, called the *fifth*.

Can. 70. Ordains *bishops*, *priests*, and *deacons*, to have no more to do with their *wives*, under pain of degradation; for the *lesser orders*, it does not oblige them to *celibacy*.

Council of TOLEDO, anno 400.

Can. 1. They permit the order of *deacon* to be given to *married* persons, provided they be *chaste*, and observe *continence*; but they impose no other penalty upon a *priest* or *deacon*, that has not lived in *continence*, and who had children before the law which the *bishops* of *Lusitania* made upon this subject: they impose upon them no other penalty but that they shall not be capable of rising to a higher dignity.

Can. 3.

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Can. 3. If a *reader* marry a *widow*, he cannot be advanced to higher orders, at most he shall be only *sub-deacon*.

Can. 4. A *sub-deacon*, who marries again, shall be put into the rank of *porters* or *readers*, without being capable of reading the *epistles* or *gospels*. He who marries a *third* time, shall be *separated* from the church for the space of *two years*, and after he is reconciled, he shall never rise higher than the rank of *lay-men*.

Can. 16. Imposes *ten years* penance for *adultery*.

Can. 17. He who has a *concubine* and *wife* both together, ought to be *excommunicated*, but he ought not to be *excommunicated* who has † *only* a *concubine*; so that it is necessary for every one, that is a member of the church, to satisfy himself either with one *wife* or one *concubine*. This canon (says *Du Pin*) may give some trouble to those, who know not that the word *concubine*, which is at present *odious* ‡, was formerly taken for a woman, to whom the marriage promise was given, though she was not *married* with all the solemnities which the laws required in marriage, as *St. Austin*

† This Canon, as *Dr. Jertin*, Rem. vol. ii. 294, observes, proves the allowance of concubinage in the Christian church, so late as anno 400; therefore this will hardly be pretended to be altered by the New Testament.

‡ It never became so, 'till the Pope and his clergy insulted the God of the Old Testament, by setting His dispensations at naught.

has explained it, chap. 5. of the book about the *advantages of marriage*. CENT.
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Can. 18. We ought not to communicate with the *widow* of a *bishop*, a *priest*, or a *deacon*, if she marries again; she ought not to be reconciled until the point of death.

Can. 19. Inflicts the same penalty on the daughters of *bishops*, &c. who marry after they have been consecrated to God.

N. B. This council was composed of *nineteen* Spanish bishops.

In the abridgement of the *doctrine* of the *fourth* age of the church, it is said—
 “ They approved of marriage, and would
 “ have the persons to be married, con-
 “ tracted in the *face of the church*, and in
 “ the presence of a *priest*, who gave a
 “ *blessing*. They honoured *virginity*, and
 “ commended those who professed it, and
 “ looked upon those as *sacrilegious* persons
 “ who violated that profession. They had
 “ much reverence and veneration for the
 “ *blessed virgin* and the *saints*, they prayed to
 “ them, and also honoured their *reliques*.
 “ They prayed for the dead. We have of-
 “ ten (says *Du Pin*) taken notice of their
 “ opinion concerning the authority of *holy*
 “ *scripture* and *tradition*. They taught
 “ that there was but one *Catholic church*,
 “ out of which there was no *salvation*, and
 “ to *whose authority* all men ought to *sub-*
 “ *mit*, because it can neither cease to be,
 “ nor *err* in matters of faith.

“ Whereof

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“ Whereof one may say in general (adds
 “ *Du Pin*) that the doctrine of the *fourth*
 “ age was the belief of the *church* of that
 “ age, and so, the *church* not being capa-
 “ ble of changing her belief, it necessarily
 “ follows, that the doctrine of that time
 “ is not at all different from that which
 “ the *church* teaches still at this day.”

In the abridgement of the *discipline* of
 the *fourth* age, we are told—“ *Prayer* for
 “ the *dead* was a common practice in the
 “ *church*, they were commemorated at the
 “ celebration of the *eucharist*; the *invoca-*
 “ *tion* of *saints* and *martyrs*, and the cele-
 “ bration of their *festivals*, were common
 “ in all the churches; the use of *crosses*
 “ was frequent; the sign of the *cross* was
 “ made very often; there were images in
 “ many churches.

“ A *blessing* was given for *marriage*; but
 “ the church never gave it for † *second* mar-
 “ riages, and they even put *bigamists* under
 “ *penance* for some time. *Marriages* con-
 “ tracted between persons who could not
 “ lawfully marry, according to the *civil*
 “ *laws*, were looked upon as null§. *Di-*
 “ *vorce* for *adultery* was *permitted* in *some*
 “ churches. The *monastic* state was esta-
 “ blished in *this* age, and became very
 “ common in a little time.”

† Still they were good and valid marriages.

§ Qu? Were these marriages null in God's sight.

CENTURY V.

ST. JOHN CHRYSOSTOM,

In his 19th and 20th sermons, which are on 1 Cor. 7. takes occasion to speak against *dancing*, and other profane pomps at *weddings*—"To what purpose (saith he) "do ye bring in a *priest* to crave a blessing, "and the next day yourselves commit base "actions?"

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From this, and other passages in the *fathers*, it does manifestly appear, that the marriage-contract, though sometimes made, according to some *canons*, in the *face* of the *church*, was of a *civil* nature, and that the only thing the *priest* did, was to pronounce a *blessing*; unless indeed he partook of the diversions of the *wedding-feast*, which also seems to have been the custom, and that pretty heartily too; for the council of *Laodicea*, Canon 14, says, "that *clergymen* ought not to be present at *shews* or *balls*, that are made during *marriage-feasts*, but arise and be gone before the *mask* begins."—So that we may conclude, there were many abuses of this kind, which gave rise to this *canon*.

In *Chrysostom's* 24th sermon on 2 Cor. 4. he gives great praises to *virginity*, and to a *monastic* life; which he thus describes:—"Do you take notice of those *monks* who
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“ live privately, and dwell upon the tops
“ of mountains? What austerities and mor-
“ tifications do they not practise? They are
“ covered with ashes, cloathed with sack-
“ cloth, loaden with chains and irons, shut
“ up in little cells; struggling continu-
“ ally with hunger, they spend their time
“ in watchings, TO BLOT OUT PART OF
“ THEIR SINS.” He observes also, that,
though *virginity* is a supernatural gift, yet
it is unprofitable, if it be not accompa-
nied with *charity* and *meekness*.

He proves that *second* marriages are not
forbidden, though it is *better* to *forbear*.

In his book of *Virginity*, he says, “ *mar-*
“ *riage* is good, that’s my opinion, but *vir-*
“ *ginity* is *better*. This I own, and if you
“ will have my sense, it is as much above
“ matrimony as *heaven* is above the *earth*,
“ and makes *men* like to *angels*.”

Afterwards he makes an objection—“ If
“ it be *better* to live *unmarried*, why did
“ God institute *marriage*? Why did he
“ make *women*? And, should all men em-
“ brace *virginity*, how should mankind be
“ propagated?”—To answer these objec-
tions, *St. Chrysostom* goes back as far as
the *creation* of man, and takes notice,
that “ while he was in the earthly *para-*
“ *dise* with *Eve*, he was taken up with
“ a conversation with God, and he was
“ then freed from *lust* and the *desires* of the
“ *flesh*, and lived in perfect *virginity*, and
“ the

" the whole world was at that time a vast
 " solitude. But man, having disobeyed
 " God's commands, and becoming mortal
 " and corruptible, with that happy life
 " which he enjoyed, he lost also the *glory*
 " of *virginity*: so that *sin* being the cause
 " of *death*, became at the same time the
 " cause of *marriage*. It is probable that
 " though there had been no marriage, yet
 " the world † might have been peopled,
 " and God have created *other men* as he
 " had done the *first*." Adding, that " it
 " is not the frequent use of *marriage* that
 " multiplieth mankind, but God's bles-
 " sing:" and he believes that " marriage
 " is more necessary to the world at present,
 " for a remedy against incontinency, *than*
 " *for the preservation of mankind*; he grants
 " that it is necessary for the *weak*, but that
 " *virginity* is far more honourable and pro-

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† This passage puts one in mind of *Leslie's* observa-
 tion on the famous *mystic*, *Madame Bourignon*—
 who said—" there was no need for CHRIST to suffer
 " in order to the redemption of mankind, God might
 " have effected it some other way."—" This *devil* of
 " a *saint*," says *Leslie*, " gives a direct lye to the scrip-
 " ture, Luke xxiv. 46. which saith—*Thus (et cetera)*
 " it BEHOVED CHRIST to suffer, &c."—How far short
 this *angel* of a *Father* is from giving the lye to the book
 of *Genesis*, wherein we find *marriage* instituted in the
 days of perfect *innocency*, must be left to the judg-
 ment of the *reader*, on the perusal of what is said in
 the above paragraph. However severe *Leslie's* ani-
 madversion on *Madame Bourignon* may appear, it
 is fully warranted by what CHRIST said to PETER
 on a similar occasion. See Mat. xvi. 22, 23.

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“fitable too: he pretendeth, that whatsoever *St. Paul* said of marriage, ought to induce men to embrace *virginity*.”

He wrote two treatises, “*Against the cohabitation of clerks with women*”—and “*A discourse to a widow*;”—he exhorts her to continue in her *widowhood*. He made another little book on purpose to shew, that *she ought not to marry again*; where he proves, that though *second marriages* be not absolutely *forbidden*, yet it is much better to continue in *widowhood*.

This *eminent father*, in his discourses on the *eucharist*, affirmed, that the *bread* and *wine* become the *body and blood* of CHRIST; that we ought not to doubt of it, seeing CHRIST himself affirmeth it — that fire from heaven consumeth the things offered, and changeth them into the *body and blood* of JESUS CHRIST.

In the *Christian* maxims, which are selected from his sermons, he lays it down, that, “*solitariness*, and a *monastic* life, “are more to be desired than the greatest “kingdoms.”

POPE INNOCENT I.

Can. 4. Forbids *orders* to a person who has married a *widow*.

Can. 5. Extends this prohibition even to those who have *married* such a woman before *baptism*.

Can. 6.

Can. 6. The same with regard to those who have been *twice married*.

Can. 12. Prohibits the admitting *virgins*—that, being consecrated to God, *married*, or were *corrupted*—to *penance*, before the death of the person with whom they have committed the *crime*.

Can. 13. Enjoins *penance* to virgins that *marry*, after promising *virginity*, though they had not been solemnly *veiled* by the *bishop*.

Can. 1. Epist. 3. He confirms *Siricius* his law, concerning the *celibacy* of *priests* and *deacons*. Yet he forgiveth those, who through ignorance observed it not, on condition that they should continue in that order, and rise no higher. But he ordains that those should be *degraded* who *violated* it *knowingly*.

In Letter 5. To two bishops of *Abruzzo*, he bids them *depose* the *priests* that were accused of having had children since their *ordination*, if they be convicted of *that crime*.

Letter 9. Declareth, that a man who *married* another woman, while his wife was in captivity, ought to return to the former; because a *second marriage cannot be lawful*, except the former wife be dead or separated by divorce.

Letter 22. To *Rufus*, and other bishops of *Macedonia*, dated anno 414, he tells them, that “ he was much surprized

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“ by a letter directed to the see of *Rome*,
 “ as the *chiefest* of all *churches*, because
 “ they consulted him about things that
 “ had *no difficulty*, and concerning which
 “ he had plainly declared his opinion.
 “ One is, the ordination of such as had
 “ married *widows*.” Pope *Innocent* saith,
 “ That there is no dispute that they should
 “ not be ordained;” and affirms, “ that
 “ it was the practice of *all*, both *eastern* and
 “ *western* churches; nay, he would have
 “ those to be *degraded* who are found to be
 “ in orders.”

The *second* is concerning those, who
 having lost a former wife, being yet *unbap-*
tized, had married a *second* after *baptism*.
 Some were of opinion, that this kind of
bigamy did not hinder them from *ordina-*
tion. Pope *Innocent* alledgeth several rea-
 sons, to prove that such a practice is not
 to be followed.

ST. JEROM

Was born about the year 345. In his
 treatise of *Virginitie*, to *Eustochium*, he
 highly extols it. In his directions to her
 for the maintenance of it, he advises her
 to shun reading *profane* books; and, to in-
 force what he says, tells her, that “ he,
 “ being once too earnest in reading *Cicero*,
 “ *Plautus*, and other *profane* authors, he
 “ fell into a violent fever, and, by it,
 “ into a kind of agony, and then was
 “ caught

“ caught up in the spirit to the tribunal of
 “ JESUS CHRIST; where, having been
 “ soundly *whipt* for reading profane au-
 “ thors too much, he was forbidden to
 “ read them any more.” He assures *Eus-
 stockium* that “ this story is not a dream,
 “ and calls the tribunal where he appeared,
 “ and the judgment that was given against
 “ him, to attest the truth of what he
 “ says.” Yet, when *Rufinus* upbraided
 him afterwards, that, for all that, he had
 not given over reading profane books, he
 laughs at his simplicity, and jests upon him
 for taking a *dream* for *truth*. So much for
 this *saint's* || sincerity !

In his polemical treatises, his bitterness
 against his opponents is excessive. When
 he disputeth with *Helvidius*, he commend-
 eth *virginity* to that excess, that it was
 thought he designed to condemn *matri-
 mony*;—and he discourseth after such a
 manner of *virginity*, as would almost per-
 suade men, that it was necessary to lead
 that sort of life, in order to be *saved*. La-
 bour, fastings, austerities, and various
 mortifications, together with solitude and
 pilgrimages, make up the subject of almost
 all his advices and exhortations. His de-

|| *Le Clerc*, Quæst. Hieron. iii. p. 62. says—“ *In-
 “ genium Hieronymi totum fuit ad jactationem, & dis-
 “ simulationem compositum.*” The genius of Jerome, was
 wholly turned to bragging and dissimulation. See *Con-
 fessional*, 3d edit. p. 406—408.

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light was to hear of the lives of monks and hermits, and he easily believed whatsoever was told him upon that subject, though never so extraordinary.

In short, from the account which *Du Pin* gives of this *Saint Jerom*, his composition seems to have been a mixture, like that of the *Cynic Diogenes*, in point of temper and disposition, and like that of the visionary of *La Mancha* in point of judgment. See before *Thelyph.* vol. ii. 123—128. 1st edit.—p. 116—121. 2d. edit.

ST. AUSTIN.

It being said, by some enemies to the *Christian* faith, that GOD had abolished the *old law*, either out of *inconstancy*, or because He was *weary* of it, *St. Austin* answered—that “GOD is *unchangeable* in
“all that concerns *Himself*; and that, as
“He hath given precepts and ordinances
“for the good of man, so it is for the
“*same* end that He sometimes *changeth*
“them, as He judgeth it may be more
“*convenient* for them.”

N. B. The *Creator's* changing His laws, in order to suit the *creature's convenience*, is a curious idea !

He adds, that, “we should not believe,
“that, since the coming of JESUS CHRIST,
“those things can be observed, which were
“either *permitted*, or *prescribed*, only for
“the time of the *old law*; though at that
“time

“ time they were to be taken in their proper sense.” He instanceth in the *polygamy* of the *patriarchs*, because they lived † *holily* in marriage, with a prospect of having children; and he confidently preferreth that state, before that of such men, who, having but *one wife*, abuse matrimony to satisfy their § brutish lust.

He taught, that of all that is done for the *dead*, nothing availeth them where they are, but the offering of the *Eucharist*, *prayers*, and alms-deeds: that these things are not useful to *all*, but only to such as *deserved*, in their *life-time*, to reap benefit by them after their *death*.

He wrote against *Jovinian*, who was called an *heretic*, and an enemy to *virginity*, for persuading some *Roman* virgins to marry, and for maintaining that “ married persons might be as *holy*, as persons “ in a state of *celibacy*.” *Jovinian's* opinion was rejected at *Rome*; and *Saint Austin* wrote a book, to shew, that *Jovinian's* opinions might be refuted without condemning *marriage*; in which he examines how men could have had children had they persisted in a state of *innocence*.

† Qu? How could the *patriarchs* be said to “ live “ *holily* in marriage,” if they lived in a *state* forbidden by the *primary institution*?

§ From this passage, and many more, it is very clear, that this *father*, as well as others, differed very widely from *St. Paul*, in their notions relative to the *use* and *ends* of *marriage*. See post, p. 42. N. B.

He

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He declares that man guilty of *adultery*, who should abuse a *virgin*, when he has a design to marry another. As for the young woman, she is guilty of *sin*, but not of *adultery*, if she is true to that man, and designs not to *marry* when he leaveth her. He doth not excuse from *venial sin*, either the man or the woman, who have another prospect in marriage than the begetting of children. N. B.

He determines, that, though human laws permit a man to *marry again*, when he is divorced from a *former wife*, yet it is not *lawful* for *Christians*.—He concludes, that *marriage* is of itself a *good* thing, but one of those *good* things which we should not look after, but in order to a greater *good*, or to avoid a *great evil*. That, before CHRIST, the most *continent* might *marry*, to multiply that people from whom the *Messiah* was to be born; but *now*, as many as are able to contain, do *well* not to *marry*. That, for *this* † reason, men were permitted formerly to have *several wives*, but *now* no man is to have more *than one wife*. That the *gospel purity* is so great in this point, that a *deacon* was not to be ordained, who

† What an entire confidence had these *fathers* in the *credulity* of mankind, to venture forth their *reveries*, on *reasons* so absurd and foolish, as to be against all *reason*? As if the command to *increase* and *multiply* the human species, Gen. i. 28. was not as necessary for one period of the world, as for another. See post, p. 47.

had

had ever had more than *one wife*. He approves their opinion who understand this maxim in its *whole extent*, and without restriction, as did *Jerom*, by excepting those who contracted a *former* marriage before *baptism*. And, as a young woman who had been defiled when she was a *catechumen*, cannot be consecrated as a *virgin* after *baptism*, even so it hath been thought reasonable, that the man, who hath had more than *one wife*, whether before or after baptism, should be looked upon as wanting one *necessary* qualification for *orders*.

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His book *Of Holy Virginity*, says, that “*virginity* is one of the most excellent “*gifts of God*.”—He exalteth the excellency of *virgins* consecrated to God, by the example of the virginity of the *mother of God*, who, according to him, had made a vow of *continency* before the *angel* appeared to her.—He says, that *virginity* should not be chosen as a thing *necessary* to *salvation*, but as a state of greater *perfection*; and asserts, that *virgins* shall have a particular REWARD in *heaven*.

He exhorts husbands that have left their wives to live in *continency*, alledging the example of *churchmen*, who abstain so religiously, though they often were forced to take that profession upon them against their wills.

He believes, that, by the inspiration of
God,

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GOD, the *martyrs* know the necessities of the faithful, and *bear* their *prayers*. He does not question but *martyrs* help the living; but he knows not whether they do it by themselves, or whether God doeth it by *angels* at their request. He confesseth, that we cannot know by which of these means, or whether by *both*, the *martyrs* work *miracles*.

St. *Austin's* answer to the following question is very curious, *viz.*—"If concupiscence is evil, and an effect of sin, if all children are born in sin, how comes *matrimony* to be approved, which is the *effect* and *spring* of this *sin*?" Answer. "Though *lust* be a *defect*, and a consequence of the first man's *sin*, which remaineth even in the baptized, yet conjugal chastity is to be approved, which makes a good use of an *evil thing*."

Here St. *Austin*, as well as St. *Chrysostom*, (see before p. 35.) evidently makes the natural desire of the sexes to each other, *evil in itself*—an horrible blasphemy against God, who implanted it in man's nature for the wisest purposes, in the days of man's *innocence*! otherwise how could the command—"increase and multiply"—have been *then* given, Gen. i. 28?—and the way in which this was to be done, expressly commanded, Gen. ii. 24.? With as much reason these *fathers* might have said, that
the

the appetite of *hunger* is evil, and the effect of *sin*, though GOD provided food for man. Gen. i. 29.

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St. Austin has been styled the father of the *Latin church*.

The *Rhemists* quote this *father's* authority for thus commenting on 1 Cor. vii. 29. — “ He exhorts that *those who have* “ *wives*, should not wholly bestow themselves in the vain transitory pleasure and “ voluptuousness of their flesh, but live “ in such moderation, that *marriage* hinder them, as little as may be, from spiritual cogitations: which is best fulfilled of “ them, who, by *mutual consent*, do wholly “ contain, whether they have had children “ or none, contemning *carnal issue* for the “ joys of heaven—and *these* marriages be “ more blessed than any *other*, saith *St. Aug. de Serm. Dom. in Monte*, L. i. “ c. 14.”

Council supposed to be held at ROME under
POPE INNOCENT I.

Can. 1. and 2. Speak of those *virgins* penance, who having solemnly put on the *veil*, and received the *priest's* benediction, commit incest, or contract prohibited marriages. Penance is likewise imposed upon those that made a single vow of *virginity*—though they made no solemn profession, nor received the *veil*—when they happen
to

CENT. to marry, or suffer themselves to be taken
V. away.

Can. 3. Concerns the *sanctity* of *bishops*, *priests*, and *deacons*: they are told, that they ought to give example to the people; that they are obliged to remain *unmarried*, and several reasons are alledged for it. *Priests* and *bishops*, say they, are to preach *continence* to the people: with what confidence shall they do this, if they keep it not themselves? They are obliged to offer frequently the *holy sacrifice*, to *baptize*, *consecrate*, and *administer*: to do it with the greater reverence, they must be *chaste* both in body and spirit.

Can. 11. Speaks very ambiguously concerning a man's marrying his uncle's wife, or an aunt's marrying with the son of her husband's brother.

Council of CARTHAGE. Anno 407.

Can. 8. Forbids *divorced* persons to be married to others. This regulation is there judged to be conformable to the *law of the gospel*, and the decision of the apostle *St. Paul*. (Quere, where?)

Ditto. Anno 418 and 419.

Can. 3. Confirms the rule of the council of *Carthage*, anno 401, concerning the celibacy of *bishops*, *priests*, and *deacons*: it is

is said that their ministry obligeth them to it.

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Faustinus confirms this order in the 4th canon.

Can. 16. Readers are obliged to *marry* when they come to the age of *puberty*, or to make a *vow* of *continency*.

Can. 18. Forbids giving the *eucharist* to the *dead*.

ST. ISIDORE PELUSIOTA

Prefers a single life before marriage.— He observes, that the *polygamy* of the ancient *patriarchs* was *then* very excusable, because it was necessary that they should have a numerous posterity; but it may not be *now* used as a pretence to ‡ cover our incontinence.

He taught, that the veil, that covers the

‡ This “most lame and impotent conclusion” from the premises, which speak of quite another matter, would almost tempt one to say of these *fathers*, as Lord Chief Justice *Holt* said of one of the *heralds*, who appeared as a witness in a *cause*, wherein the determination of some question depended on a distinction in *heraldry*. The *herald* giving but a *blind* account of the matter, and tiring the patience of the court with many absurd answers — “Well,” said the Chief Justice, “I perceive, that this *silly* fellow “don’t understand his own *silly* trade.” The *reader* will find many instances of this, in the perusal of these extracts from the *fathers*, whose *trade* and *occupation* seem to have been *system-making*: in which they were as great proficient, with respect to *divinity*, particularly as relating to *marriage*, as the projectors at *Laputa* were in *experimental philosophy* and *mathematics*. See GULLIVER.

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sacramental elements, doth *undoubtedly* overspread the *body* of JESUS CHRIST, and the *Holy Spirit* turns the wine into the *blood* of JESUS CHRIST. He approves of the honour given to *martyrs*, and the respect which is bestowed on their *reliques*; and disallows the presenting of offerings at their altars in honour of them.

He relates a story of a young woman, who coming into the sight of a young man, who was in love with her, cured him of that fond passion, by presenting herself with her hair *crop'd*, and her head covered with *ashes*.

As *St. Isidore* professed a *monastic* life, he extols a *monastic* state, and recommends the cloathing of *monks* to be of hair, and their food to be nothing but *herbs*.

ST. CÆLESTINE,

Chosen *Bishop* of *Rome* anno 423. He decreed—that none be ordained *bishop*, who hath been *married twice*, or hath married a *widow*: which he ordains as a rule, not only for the future, but he requires, that the ordinations already made in prejudice of this law, be looked upon as *unlawful*, which may not be allowed in force.

ST. LEO,

Chosen *Pope* anno 440, deservedly reckoned (says *Du Pin*) among the *fathers* of the
the

the church. He lays it down, as a condition necessary for holy orders, not to have married above *one wife*, and she not to have been a *widow*. He commands the *bishops*, to whom he wrote, to deprive them of their *bishoprics* who were found to had *two wives*, or had married a *widow*.

He orders, that the ministers of the altar, that is to say, the *deacons* and *sub-deacons*, should be subject to the law of *continence*, as well as the *bishops* and *priests*. He adds, that being *laics* or *readers*, they may be *married* and *have children*; but being arrived to the sacred ministry of the altars, it is not to be permitted to them. That their *marriage* ought to be changed from *carnal* to *spiritual*, that so they may neither forsake their wives, nor have any carnal knowledge of them. *St. Leo* is the first that extended the law of *celibacy* to *sub-deacons*.

He declares, that a *clergyman* who gives his daughter in marriage to one that hath a *concubine*, ought not to be treated as if he had given her to a person already married, because *concubines* cannot be * counted *lawful wives*, nor the familiar commerce with them *marriage*, unless they be free, endowed, and joined together by *public marriage*.

That, young women, whose relations

* See before, p. 30. and vol. i. Append. to chap. 2.

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have married them to persons that have *concubines*, do not sin in dwelling with those to whom they are married.

That it is not the sin of *adultery*, but a virtuous action, for a man to *cast off* his *concubine*, that he may live only with his wife. The *concubines*, spoken of in this place, are slaves, with whom men lived as with their wives, without having any commerce with others, though they were not solemnly married to them.

He could *wish* that those who have done *penance* when they were *boys*, would not *marry*; yet he *excuses* young men who do it to avoid incontinency. See 1 Cor. vii. 9.

He orders that the *monks* who have *married* should be made to do *penance*, because they cannot leave that profession without *sin*, when they have once embraced it, but are obliged to perform their *vows*.

He condemns *virgins*, who married after they had voluntarily put on the habit, though they were not yet consecrated.

Can. 4. He commands *bishops*, *priests*, and *deacons* to live unmarried; and observes, that the use of marriage was not allowed to *sub-deacons*. St. Gregory says; that "it was hard to refuse it to the *later*."—But *quere*,—Why more so than to the *former*?

The *Gallican* bishops wrote to St. Leo a letter full of high commendations and compliments, and they call the church of
Rome

Rome — “ *Apostolica sedes, unde religionis*
 “ *nostræ fons & origo manavit.* ” — “ The
 “ apostolic church, from whence comes
 “ the origin and source of our religion.”

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In one of his sermons, on *St. Peter's* day, he says, that, that *apostle* never forsakes his church, but continues to be the *foundation* of it—that *St. Peter* is not only *bishop* of the *Roman* church, but the *head* of all the churches in the world.

ST. HILARY, Bishop of ARLES,

A man of remarkable eloquence, and of great zeal.—He did much good in his visitations to the *Gallican* churches. He often went to see *St. Germanus*, with whom he made an enquiry into the life and manners of the clergy. While he was with him, a certain *bishop*, named *Celidonius*, was accused before him, because he had married a widow before he was ordained, which is forbidden by the *canons*, and the *authority of the Holy See*. The case being discussed, with all fairness imaginable, and the witnesses heard, he pronounced, that he whom the *holy canons* deprived of his *priesthood*, ought to forsake it of himself: the poor bishop resolved with himself to go to *Rome*; he complains that he had been used with too much severity.

St. Hilary, understanding this, puts himself immediately upon his journey to go to *Rome*. The coldness of the season, the

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height of the *Alps*, and other troubles in the journey, could not take off the edge of his zeal; he conquered them all, and went to *Rome* on foot: after having paid his *devotion* to the tombs of the *apostles* and *martyrs*, he went to *St. Leo*, gave him all due respect and veneration, and humbly besought him, that he would make *no alteration in the ordinary discipline of the church*.

HILARY, Bishop of ROME,

Was of opinion that *bishops* who had been *twice married*, or had married a *widow*, ought to be deprived.

GELASIUS I. Bishop of ROME,

Repeats the antient *canons* concerning the qualifications of such as they ought to ordain—that they ought to be but *once married*.

Council of CHALCEDON.

Can. 15. Forbids the ordination of a *deaconess* before ‡ forty years of age, and without strict examination; and declares, that if she shall *marry* after she has been some time in the service of the church, she shall be *excommunicated* with her *husband*.

Can. 16. It is not permitted to *virgins*, devoted to God, to *marry*. They who

‡ 1 Tim. v. 9.

have

have done so shall be excommunicated—yet the *bishop* of the place may treat them with such lenity and mildness as he thinks fit.

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V.

I. Council of ORANGE, anno 441.

Can. 22. For the future no married persons shall be ordained *deacons*, unless they make a profession of living in *chastity*.

Can. 23. If it be found out that one of those *deacons* do not abstain from his wife, he shall be *deprived*.

Can. 24. Excepts from this law, those who have been ordained heretofore. The only *penalty* it inflicts on them is, that they cannot obtain any higher orders.

Can. 25. Those who have been *twice married*, though *never so worthy*, shall be admitted to no other orders than that of *sub-deacon*.

Can. 27. Of *widows* professing *chastity*—orders, that it shall be done before the *bishop*, and that it be discovered by their widows garments, or by a kind of veil put upon them, as it is the *Roman* custom, and is decreed by the council of *Toledo*, can. 4. and of *Carthage*, can. 104.

Can. 28. Such as break their vow of *virginity*, whether *men* or *women*, shall be made to do *penance*.

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II. Council of ARLES, about anno 442.

Can. 2. No man may be made a *priest*, who is *married*, unless he will renounce the *use of marriage*—which they call by the name of *conversion*.

Can. 21. A *penitent* may not *marry*.

Can. 52. Is against those who marry after they have vowed *virginity*.

Council of ANJOU, anno 433.

Can. 4. The *clergy* shall not dwell with *women*.

Can. 5. They shall be treated very severely, who forsake their state of penance or *virginity*.

Can. 11. No person shall be ordained *deacon* or *priest*, who hath had more than *one wife*.

Letter of LUPUS Bishop of TROYES, and EUPHRONIUS Bishop of AUGUSTODUNUM, to THALASSIUS Bishop of ANJOU.

This letter contains, 1. Rules concerning the different ways of celebrating the *vigils* of the *festivals*.

2. About the *clergy* that had been *twice married*. They say that it may be *tolerated* in the lesser orders, as high as a *porter*: but *exorcists* and *sub-deacons* ought not to have been *twice married*. 3. They say, that

that it were better for the clergy to abstain from marriage, but in this they must follow the *custom of the churches*. As to the *exorcists* and *sub-deacons*, they must not be suffered to marry a *second* time; that, in the church of *Augustodunum*, none of the *clergy*, not the *porters* themselves, are allowed it.

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Council of TOURS, 461.

Can. 1. and 2. Recommend a single life to *bishops*, *priests*, and *deacons*.

Can. 3. Forbids them to dwell with *women*.

Can. 4. Prohibits the *clergy*, who might marry, to marry *widows*.

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Pope SYMMACHUS.

He condemns those who marry *widows*, or *virgins* consecrated to God, although they who are married mean well. He ordains that such shall be cast out of the communion of the church: and he forbids *widows* who have lived a long while unmarried, and *virgins* who have been a considerable time in monasteries, to *marry*.

ENNODIUS, Bishop of PAVIA,

Took *orders* by consent of his wife, who, for her part, embraced a chaste and

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of *virginity*.

ST. FULGENTIUS.

His letter concerning the *conjugal duty* and the *vow*, is upon a particular case. Some had asked *Fulgentius*—"Whether a married person was obliged to keep a vow of continence?" *St. Fulgentius* makes many observations concerning the use of marriage, and the obligation of vows. He remarks upon the first head, "that the use of marriage is *allowed*, when it is intended for the procreation of children; but when it has no end but pleasure, although it is not a crime like *adultery*, yet it is always a *small sin*, which is *blotted out by prayer and good works*."

As to the vow, he says, that, "there is no doubt, but, by it, an obligation is contracted to do the thing which was vowed." But he maintains, that "the vow of *continence* made by one of the married persons, cannot oblige the other, nor dispense with that person who made the vow from paying the *conjugal duty* to the other, at least unless both parties had concurred in making the vow." Having laid down these principles, he concludes—"that if the persons who wrote to him, had *both* made a vow of *continence*, then they were obliged to keep it;

“ it; and that if they found themselves
 “ tempted by carnal desires, they should
 “ humbly pray to God to give them grace
 “ † to resist them; but if only *one* of the
 “ *two* had made a vow of continence, that
 “ party was obliged to pay the conjugal
 “ duty to the other who had not made it.”

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The EMPEROR JUSTINIAN,

Began his reign in 527, and died in 565.

He added many laws to those made by the princes his predecessors; *viz.*

If a *monk* enter into orders, he is forbidden to *marry*.

He who would be made a *bishop*, must be one who was never *married* but *once*, and also one who was not espoused to a *widow*.

The same precautions shall be observed in the ordination of inferior *clergymen*.

The *deaconesses* shall be ordained only of *virgins*, or of *widows* who were never *married* but *once*, and who have passed the *fiftieth* year of their age. If any younger are ordained, they shall enter into a *monastery*.

In treating of *marriages*, he first men-

† Here is a fair *preceptive* precedent, as before, p. 6. for praying to God, to invert the *order of nature*—to annihilate his own *command*—and to *defeat* his own *purpose* in the creation of the *male* and *female*, and in ordaining *marriage*! See 1 Cor. vii. 5, 9.

tions

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tions the causes of the dissolution of marriage. He distinguishes them into two sorts: the *first*, are those, which he calls *ex bona gratia*, because it is to be presumed that both parties are willing. 1. When one of the two who are joined together makes a *vow* of *chastity*. 2. When the husband is impotent for the space of *three* years. 3. When he is a captive, or absent for the space of *five* years, without hearing of him: but not when he is a slave, or condemned to the mines, or exiled and banished for ever. 4. That if a woman be espoused who is found to be a slave, the marriage shall be *null* for the future, unless he was her master, who married her as a free woman, in which case she shall continue free. 5. *Constantine* had permitted a woman, whose husband had been *four* years in the wars, without writing to her, or giving her any marks of his affection, to marry another.

Justinian repeals this law, and ordains that a woman cannot marry again until the end of *ten* years; and also till she has solicited her husband to return, and presented her petition to his captain or his colonel, whereby it may be evident that he has no mind to return to his wife.

These are the causes of dissolution of marriages which *Justinian* calls *ex bona gratia*.

The other causes are those which are
rigorous;

rigorous: as, if a *man* or a *woman* be convicted of *adultery*, *murder*, *poisoning*, *theft*, *treason*, *robbery*, or any other crime: and if it happen that the *woman* be guilty of these crimes, she shall continue *five* years without being capable of marrying again; and also if it be she who convicts her husband of them, she shall at least continue *one* year before her *second* marriage.

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Justinian adds also three causes for which women may be divorced. If they make themselves *miscarry*. If they *bathe* with other men. If they speak of *marriage* to others while their husband liveth.

Justinian repealed what he had before ordained concerning persons who were in the army, and ordains, that it shall never be lawful for a woman to marry again, unless she has sufficient proof or witnesses that her husband is dead.

Another law contains reasons for which a *divorce* may be granted. A man may *divorce* his wife—if she has conspired against the state—if she be convicted of *adultery*—if she has attempted her husband's life—if she has dwelt or washed with strangers against her husband's will—if she be present at public sports in spite of him. The woman may also be parted from her husband—if he be a criminal to the state—if he has attempted her life—if he would have prostituted her—if he cohabits with other women, after his wife
has

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has admonished him to forsake their company.

As to what concerns the clergy—they must have no *concubine*, nor natural children; but they must be *virgins*, or such as are married only *once* to one woman.

If he who is to be ordained, has not a wife, then, before he is ordained, he must engage to live in *celibacy*; but he who ordains a *deacon*, or *sub-deacon*, may permit him to marry after his ordination.

That if a *priest*, or *deacon*, or *sub-deacon*, espouse a woman after his ordination, he is to be turned out from the *clergy*.

That a *reader* may marry—but if he contract a *second* marriage, or espouse a *widow*, he cannot ascend to higher dignity among the clergy.

That if any marry after they have been among the *clergy*, they shall return to their first condition.

He restores the *antient custom*, whereby married persons were allowed to separate, with the consent of one another, without any other formality.

ST. BENEDICT,

This gloomy mortal, famous among the monks, shut himself up in a frightful cave.—He declares that his *rule* contains only the *first elements* of a religious and spiritual life, and that the *books of the fathers* contain it in *perfection*.

N. B. One

N. B. One should think that the scriptures bore a *price* something under *par*, in the eyes of these *enthusiasts*.

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Pope PELAGIUS II.

In one of his decrees, he allows that a man may be ordained *deacon*, who, having left his wife, had children by a *maid-servant* without espousing her, although it be against the *laws* and the *canons*, merely on account of the want of those who are disposed to be *clergymen*.

He ordains also, that this *maid-servant* shall be put into a monastery, to make there profession of *continence*.

ST. JOHN, surnamed CLIMACUS.

This *saint* was called *Climacus*, from his work intituled Κλίμαξ, *i. e.* a *scale* or ladder.

This *scale* contains thirty *degrees*, which are so many *Christian* and *religious* virtues. The 15th contains the praises of *chastity*. There he shews the consequences of this virtue, and the enormity of the crime which is opposite to it; he condemns it, even to the motions of *lust*, which happen in the time of *sleep*. He prescribes for a remedy, that they should clothe themselves with sackcloth, and cover themselves with *ashes*; that they should pass the night standing; that they should suffer hunger and thirst; and that they should lodge in the

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 —See 1 Cor. vii. 9.

ST. GREGORY, Pope 590,
 Surnamed THE GREAT.

ST. GREGORY *proves* (*epist.* 39. lib. ix.) that *marriages* are not *dissolved* by the entrance of one of the married persons into a religious house, although human laws permit the man to part from his wife, or the woman from her husband, that they may go into a monastery.

He adds, in *epist.* 44. of the *same* book, where he handles the *same* question, that the law of God does not allow a man to forsake his wife for any cause but *adultery*; nevertheless, he permits *married* persons to part from one another, that they may enter into a religious house, when this is done with the consent of both parties.

St. Gregory took it ill, that the *subdeacons* of *Sicily* were obliged to *abstain* from their *wives*, according to the custom of the church of *Rome*. This law appeared to him harsh and unreasonable, because they found not *continence* established by any law for them, and they were not obliged to keep it before they were ordained. He feared lest *something worse* should happen if this *yoke* were imposed upon them.

He orders, that none shall be *ordained* for
 the

the future, who do not promise to live in *contenance*.

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He declares, that he will put in execution the order of the *Pope*, his predecessor, about the *contenance* of *sub-deacons*, and that those who are married shall be obliged to abstain from the *use* of *marriage*, or else to forsake the service of the altar.

He would not have the *wives* punished, of those who desired rather to quit the service than renounce them, nor the women hindered from marrying again after their death. He orders, that, for the future, no *sub-deacon* shall be made, who is not obliged beforehand to observe *celibacy*.

He forbids to ordain a *deacon bishop*, who had a very young *daughter*, by whose age it manifestly appeared that he had not long observed *contenance*.

He promised the Empress *Constantina*, some of the *filings* of *St. Peter's* chain, if the *priest* who was appointed for filing them could have any; for the *file* would not take hold, when those who desired to receive them do not deserve to receive them.

He sent every where some of these *filings*, enchased in *keys*.

This *St. Gregory* sent *Austin* a monk, of the order of *St. Benedict*, with forty *missionaries*, *French priests* and *Italian monks*, to establish *Popery* in *England*, under the notion of preaching the *Christian religion*. *Austin* was the first *archbishop* of *Canterbury*;

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bury; he was nominated to that high office anno 597, by *Pope Gregory*, with the consent of *Ethelbert*, King of *Kent*. “The
“ *Christianity* which this pretended *apostle*
“ and sanctified *ruffian* taught us, seemed
“ to consist principally in two things; in
“ keeping *Easter* upon a proper day, and
“ in being *slaves* to our sovereign Lord God
“ the *Pope*, and to *Austin* his deputy and
“ vicegerent. Such were the boasted blessings and benefits which we received from
“ the mission and ministry of this most audacious and insolent *monk*. He is strongly
“ suspected, as *Du Pin* acknowledges, of
“ having excited the *Saxons* to fall upon
“ the *Britons*, and to cut the throats of
“ twelve hundred *monks* of *Bangor*.” See *Jortin*, Rem. vol. iv. p. 417. Also *Fox*, vol. i. p. 132.

The said *St. Austin* sent to *St. Gregory*, for a resolution of sundry questions. Among others—

Q. Whether *ecclesiastics*, who have not the gift of *continence*, may *marry*; and if they do, whether they may return to secular affairs?

A. They may *marry*, if they be not engaged in *holy orders*, and such ought not to want subsistence; but they shall be obliged to lead a life agreeable to the ecclesiastical state, and to sing the *psalms*.

Q. To what degree may the *faithful* marry together?

A. A Roman

A. A Roman law, of *Arcadius* and *Honorius*, permitted marriages between *consin-germans*: But *St. Gregory* did not think these marriages lawful, for *two* reasons.

1. Because *experience shews that no children are born of them*.

2. Because the *divine law* forbids them.

Q. Where?

This *St. Austin* sent also to *St. Gregory* for a resolution of sundry very *filthy* questions; which, with the answers to them, may be found in *Du Pin*, vol. v. p. 93. *Eng. Transf.* Likewise an account of the monstrous *lyes* which *St. Gregory* published in *four books*, p. 98, 99. See also p. 92.

LUCIUS CHARINUS

Says, that the God of the *Jews* was a God of *wickedness*—that, on the contrary, *CHRIST* is a God of *goodness*—He condemns marriage, and looks upon *generation* as the work of the *devil*.

N. B. Let those think on this, who talk of a *new law* of *CHRIST*, more *pure* and *holy* than the *law* of the Old Testament, and who represent the God of the *Jews* as allowing *polygamy*, and *CHRIST* as calling it *adultery*.—Let them consider, that, frequently, there may be a *verbal*, where there is little *real*, difference.

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Council of AGATHA, anno 506.

Can. 1. Renews the prohibitions of the *antient canons* about the ordinations of *bigamists*, and of those who had married *widows*. It permits those who are already ordained *priests* and *deacons*, though they be *bigamists*, or married to *widows*, to retain the *name* of their order, but deprives them of the exercise of their *function*.

Can. 9. The laws of the Popes *Innocentius* and *Siricius*, about the *celibacy* of *priests* and *deacons*, shall be observed.

Council of ORLEANS, anno 511.

Can. 21. A *monk* who quits the monastery and *marries*, can never enter into holy orders.

Council of GERUNDA, anno 517.

Can. 6. All the orders of clergymen, from *bishops* down to *sub-deacons*, are forbidden to *cobabit* with their *wives*, or if they will dwell with them, they are commanded to have with them one of their *brethren*, who can give testimony of their *continence*.

Can. 8. None shall be admitted into the *clergy*, who have had carnal dealings with a woman, after the *death* of their *wife*.

Council of EPAONE, anno 517.

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Can. 2 and 3. Renew the *canons* against the ordination of *bigamists*, and those who have done *penance*.

Can. 21. Forbids to consecrate † *widows* for *deaconesses*; insomuch that if *widows* are willing to be converted, i. e. to lead a religious life, the benediction of *penance* shall only be given to them.

Can. 25. Forbids to place the *reliques* of saints in country chapels, unless there be clergy in the neighbouring parish, who can *honour* them, by singing in these chapels from time to time.

Can. 30. None shall marry a *cousin-german* or the *issue* of a *cousin-german*.

Can. 32. Separates from the church the wife of a *priest* or *deacon* who marries, and him that espouses her, until they be parted.

Can. 34. Imposes *two* years *penance* on him who puts his *slave* to *death* by his own authority.

Can. 40. The *bishops* who will not observe these *canons*, shall be guilty both before God and their brethren.

† *St. Paul* and this *council* are at irreconcilable variance. See 1 Tim. v. 9.

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Council of LERIDA or ILERDA, anno 524.

Can. 1. Forbids *clergymen* to shed *human blood*, under penalty of being deprived of the communion for *two* years.

Can. 2. Imposes *seven* years penance upon those men or women that *murder* infants conceived and born in *adultery*. If they be *clergymen*, they also shall be put under penance, and not be restored again to their order: they shall only be permitted, after *seven* years, to sing in the quire. But as to those who give *drugs* for committing these * detestable *crimes*, 'tis said they shall not receive the *communion* till *death*.

Can.

* The *system* which the church was erecting on the demolition of the *divine law*, was attended with the most fatal and dreadful consequences, such as will never be got rid of, 'till the *laws of the Creator* shall be once more fully restored among us.

Horace's fable of Prometheus, bears no little resemblance to the case before us, and may easily be paraphrased to our purpose.

*Audax JAPETI genus
Ignem fraude mala gentibus intulit.
Post ignem ætheriâ domo
Subductum, macies, & nova febrium
Terris incubuit cohors :
Semotique prius tarda necessitas
Lethi corripuit gradum.*

When men of *Japhet's* daring race
The laws of Heaven could efface,
And substitute their *own*;
Of murders dire a ghastly brood,
And crimes, the impious fraud pursu'd,
'Till then almost unknown.

Oppress'd

Can. 6. He who has defiled a *widow*, or a *nun*, shall be *excommunicated*, the *nun* shall also be *excommunicated*, unless she part from him, in which case she shall be put under public penance.

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Fourth Council of ARLES, anno 524.

Can. 3. Renews again the prohibition so often repeated, not to ordain a *penitent* or a *bigamist*.

Second Council of TOLEDO, anno 531.

Can. 1. Concerns *infants* which the parents offer to be *clergymen*. It ordains, that, at the age of *eighteen*, they shall be asked, in the presence of the clergy and people, what is their design; and if they promise to observe *chastity*, they shall be made *sub-deacons* at the age of twenty. If they discharge this ministry well, they shall be *deacons* at twenty-five; but good heed shall be taken that they do not MARRY, or that they keep not company with *women*, and if they be convicted of doing it, they shall be looked upon as *sacrilegious* persons, and turned out of the *church*.

Oppress'd with shame, o'erwhelm'd with fear,
The teeming *mother* will not dare
Her *infant's* life to save;
The dagger's point its blood shall stain,
Or the slow poison's deadly bane
Shall make her womb its grave,

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As to those who will not oblige themselves to observe *celibacy*, they shall be left to their liberty; but they shall not be promoted to holy orders, until such time as they shall *renounce* the *use of marriage*, after they are arrived to the age of maturity.

Second Council of ORLEANS, *anno* 533.

Can. 8. A *deacon* who is *married*, being in captivity, cannot be restored to his ministry.

Can. 17. Women who have received the *benediction* given to *deacons*, *contrary* to the *canons*, shall be turned out of *communion*, if it be proved that they *marry*: yet if, upon admonition of the *bishop*, they cease to *cobabit* with their husbands, they shall be received into communion, after they have done *penance*.

Can. 18. The *deacon's* blessing shall no more be given to women.

Council of CLERMONT in ARVERNIA,
anno 535.

Can. 13. *Priests* and *deacons* shall live in *celibacy*, and if they be found to keep company with their wives, after they are promoted to these dignities, they shall be deprived of them.

A man must not marry his *wife's sister's cousin-german*, or the *issue* of her *cousin-german*.

Third Council of ORLEANS, anno 538.

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Can. 6. Forbids ordaining those who have *twice married*.

Can. 7. If *clergymen* who have been ordained with their own consent, being *unmarried*, do afterwards *marry*, they shall be excommunicated. If they were ordained against their will, they shall only be *deposed*, and the *bishop* who ordained them be suspended for one year.

Clergymen who commit *adultery*, shall be shut up in a monastery all their life-time, yet without being deprived of *communion*.

Can. 10. A man must not marry his *cousin-german* or *her issue*.

Can. 33. An *imprecation* against those who observe not *these canons*.

Fourth D°, anno 541.

Can. 10. Suspends a *bishop* from the sacerdotal function, who had ordained a *bigamist*, or him that married a *widow*.

Can. 17. Priests and deacons shall not have a *bed* and *chamber* common with their *wives*.

Fifth D°, anno 549.

Can. 4. *Clergymen* who are obliged to *celibacy*, and do not observe it, shall be *deposed*.

Can. 19. If women who come to a monastery and take the habit, do afterwards

F 4

marry,

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marry, they shall be *excommunicated*, together with those that marry them: but if they *part*, and do penance, they shall be restored to communion.

Second Council of TOURS, *anno* 567.

Can. 12. The *bishop* shall live with his *wife* as with his *sister*, without giving any cause of *suspicion*.

Can. 14. Forbids *priests* and *monks* to take any person to *bed* with them. It orders that monks should not lie, *two* or *three* in several cells, but in one *common hall*, where some shall watch while others *take their rest*.

N. B. This *canon* was, for *certain reasons*, a very necessary one.

Can. 15. Monks who go out of their monastery to marry, shall be parted and put under penance.

Can. 19. Hinders the *clergy* who are obliged to *celibacy*, from lying with their *wives*.

Can. 20. Renews the penalties on those who marry *virgins consecrated* to GOD, or who *consent* to these *marriages*.

Synod of ANTISIODORUM.

Can. 12. The *eucharist* shall not be given to the *dead*, nor the *kiss of peace*.

Can. 20. *Priests*, *deacons*, and *sub-deacons*, who shall have *children*, shall be *deposed*.

Can,

Can. 24. It is not lawful for an *abbot* or *monk* to *marry*.

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Can. 36, 37. Women not to receive the *eucharist* with the naked hand, or to touch the linen cloth which covers the body of *our Lord*.

Can. 42. Women to have the *dominical* for receiving the communion. Some think this is the linen upon which they receive the *body* of JESUS CHRIST, being forbidden to receive it with their naked hand. Others think it a kind of veil which covers the head. Whatever it be, this *synod* declares, that, if they have it not, they shall wait 'till another *Sunday* to receive the *communion*.

Council of MASCON, anno 581.

Can. 3. No women shall enter the chamber of a *bishop*, but in the presence of two *priests* or two *deacons*.

Can. 11. *Clergymen*, obliged to *celibacy*, shall be deposed if they violate the obligation.

Can. 12. *Virgins* consecrated to GOD, who *marry*, shall be *excommunicated*, both they and their husbands, till *death*. If they *part*, they shall continue under *penance*, during the pleasure of the *bishop*.

Council of LYONS, anno 583.

Can. 1. *Clergymen* forbidden to have *any familiarity* with their *wives*.

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Second Council of MASCON, anno 585.

Can. 16. Forbids the *widows* of *sub-deacons*, *exorcists*, and *acolythists*, to marry again.

This council, which was very numerous, consisting of 6 archbishops, 37 bishops, 20 deputies from other bishops, and 3 bishops who had no see, ordained—in

Can. 15. That *laymen* should shew *respect* to *clergymen*, and to salute them if they meet them on horseback in the way; to *light off* their horse and salute them, if they meet them on foot.

Third Council of TOLEDO, anno 589.

Can. 5. Renews the laws of *celibacy* for *priests* and *deacons*.

Can. 9. Leaves *widows* and *maids* at liberty to *marry* or keep *celibacy*, and *excommunicates* those who hinder them from observing their vow of *chastity*.

Can. 17. Against those *fathers* and *mothers* who put their children to death.

Council of BARCELONA, anno 599.

Can. 4. If a virgin who has renounced the customs of the world, and promised to observe *continence*, or any other person who has desired of the *priest benedictionem pœnitentiæ*—i. e. the blessing for leading a religious life, for this is often called *pœnitentia*

tentia and *conversio*—do marry, or, being taken away by force, will not part from their ravishers, they shall continue excluded from the communion of the *faithful*, and shall not have so much as the comfort of *conversation*.—This canon may also be understood literally of penance, because it was not lawful for *penitents* to make use of marriage (if married) or to marry (if single).

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ST. ISIDORE

Succeeded to the bishopric of *Sevil* about the year 595. He is likewise for the *celibacy* of the *clergy*. He says, that a *bishop* ought always to have lived single, or to have had but *one* wife — that *priests*, *deacons*, and *sub-deacons* should be bound to *continency*. Among other works of discipline, he wrote *the rules of the monks*, accommodated to the use of his country.

ST. COLUMBANUS,

An Irish *monk*. He contended, that the *celibacy* of superior clerks was commanded — that married persons should abstain from the *use of marriage* for *three* days before the *communion* — that men were to be put to penance for *bigamy* and *usury* — that *women*

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men might receive the sacrament with a black veil on — that, in case of *necessity*, *confession* might be made to GOD.

ST. ELIGIUS,

A great lover of ecclesiastical discipline, and follower of the traditions of the fathers, *Cyprian, Austin, Gregory, &c.*—however, he exceeded them all; for, in one of his homilies, he lays it down, that “it is
“ as great a crime for a man to lie with
“ his wife, as to eat flesh in *Lent*.” This may easily be believed to be very true; but, as *St. Eligius* meant it, who believed that eating flesh in *Lent* was a very horrible sin, it certainly exceeds, if possible, the *folly* of all the preceding *saints* and *fathers* put together.

THEODORUS OF CANTERBURY,

Ordained bishop by Pope *Vitalian*, and sent into *England* in 668, to govern the church of *Canterbury*. He laboured much in the establishing of the *faith* and church-discipline in *England*.

In the *eleventh* chapter of the *ritual* attributed to him, there are many questions about *married* persons. It is said there, they ought to abstain from the *use* of matrimony *three* days before the communion—*forty* days before *Easter*—*forty* days *before* and *after* childbearing. That a lawful marriage cannot be dissolved, but with the
consent

consent of both parties; but either of them may give his consent, that the other may withdraw into a monastery, and then, that the other may marry again, as if he had not been married before. If the husband be made a slave, the wife may marry at the year's end. That a man may marry again within *one month* after his wife's death, and a woman within *one year* after her husband's decease. That a woman, who hath vowed widowhood, cannot marry again; if she should, it shall be free for the husband to let her fulfil her vow or not. That the *bishop* may dispense with *vows*. It is free for one baptized to *keep* or *put away* his wife being a *Pagan*. If a woman forsake her husband, within *five* years after he may take another wife. If she be carried away captive, he may marry another *one* year after—but if she cometh again, he shall leave this *last*. It is lawful, among the *Greeks*, to marry in the *third* degree, and among the *Romans* in the *fifth* only.

Children are in the power of their father 'till sixteen years old, but, that time being past, they may enter into a *religious order*.

Council of EGARA, anno 614.

Confirmed the decree made in that of HUESCA, concerning the *celibacy* of the *clergy*.

Fifth

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Fifth Council of PARIS.

Can. 1. The antient *canons* shall be kept.

Can. 14. Prohibits marriage with a maiden that has taken a religious habit. It excommunicates those that contract such marriages, 'till they separate themselves.

Council held in FRANCE, about *anno* 614, the *place* uncertain.

Can. 12. Forbids *presbyters* and *deacons* to marry, upon pain of being turned out of the *church*.

Second Council of SEVIL, *anno* 619.

Can. 4. Is against the unlawful ordinations made at *Astigi*, where persons that had married *widows* had been ordained *clerks*. The *ordinations* are declared *null*, and they are forbidden to be raised to the order of *deacons*.

Council of RHEIMS under SONNATIUS.

Can. 7. Threatens to excommunicate those who shall violently take away from the *church* the *criminals* fled into it.

The original of this privilege, allowed by the *Heathens*, and afterward by the *Christians*, to their *temples* or *churches*, was certainly taken from the divine constitution given to *Moses*, respecting the *six cities of refuge* in the *Jewish* nation (*Numb.* xxxv. 6.)
though

though not altogether conformable to it: for *Moses* made the cities only a *refuge*, and that only for such manslaughterers as had killed *their neighbours unawares*; but the *Heathens* made their temples an *asylum* for all manner of wickednesses. So *Livy* says of the *asylum* erected by *Romulus* at *Rome*: *Asylum aperuit, quo quisquis perfugerit, ab omni noxa liberatus esset.* “He opened an *asylum*, where, whosoever fled to it, should be freed from every crime.” So *Herodotus* speaks of *Hercules’s asylum* at *Athens*. These *refuge-temples* were afterwards much increased among the *Heathen*, and at length, about the year 300, came to be in use among the *Christians*; for they thought it a shame, that the temples of the *Heathen* gods should enjoy so great a privilege, as to be refuges for the oppressed, and the *Christian* temples should be destitute of it: whereupon they were made such by the edict of *Theodosius* and *Valentinian*, and also by the *canons* of the *councils*. But although such grants might be of very good advantage among *Christians*, being kept within due bounds of the first institution, to be a protection for the *innocent* and *oppressed*; yet, as they have been, and still are, abused in the *Roman* and other *churches*, being made a refuge for *murderers* (*assassins*) *rebels*, and other enormous criminals, they are grievous both to the church and all civil societies. See

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Editor's note on *Du Pin*, Eng. edit. vol. vi.
p. 57.

Can. 23. Forbids ravishing *widows* or *virgins* consecrated to God.

N. B. The word *ravishing* means *taking them away*.

Fourth Council of TOLEDO.

Can. 19. Forbids advancing those to the *priesthood* who have made themselves *eunuchs*—those that have had *many wives*, or have married *widows*—as also those that have had *concubines*.

Can. 44. Clerks marrying *widows*, shall be separated from them by the *bishop*.

Can. 56. Distinguisheth two sorts of *widows*—some *secular*, who do not leave the *secular* habit, and other *religious*, which take a religious habit—and declares, it is not *lawful* for these to *marry*.

Sixth Council of TOLEDO, anno 638.

Can. 8. Explains a constitution of *St. Gregory's*, whereby they suppose he gave leave to a young man, who underwent penance under fear of death, to *cohabit* with his *wife*, till he was come to an age in which it were *easier* to live *chastly*. They say, that if he, or she, that was not put to penance, survive, he may marry again.

Ninth

Ninth Council of TOLEDO, 655.

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Can. 10. They declare the sons of clergymen, who were obliged to *celibacy*, incapable of inheriting.

Tenth Council of TOLEDO, 656.

Can. 5. Decrees that those who leave the habit of *widowhood*, after they have worn it, shall be *excommunicated*, and shut up in monasteries.

Fourth Council of BRAGA, 675.

Can. 4. Ecclesiastical persons are forbidden to dwell with a *woman*, excepting their *mother only*, but not their *very sisters*, or any other *near relations*.

Council held at CONSTANTINOPLE,
anno 692.

Can. 3. Those of the *clergy, presbyters*, or *deacons*, that had married *two wives*, if they will not leave that custom, shall be deposed. As to those whose *second* wives are dead, or who have left them, they shall keep the honour and place of their dignity, being forbidden only to perform the functions of it, it being not fitting, that he, who ought to heal his own wounds, should *bless* others. As for them who had married *widows*, or had married, being *priests*,
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deacons, or *sub-deacons*, they shall for a time be suspended from their function, but they grant them the power of being *restored* when they *leave* their *wives*, on condition, that they shall not be raised to a superior order. Lastly—they ordain, that all those who have been married *twice* after baptism, or have had *concubines*, shall not be made *clergymen*.

Can. 4. Such *ecclesiastical* persons as shall company with a *virgin* consecrated to God, shall be *deposed*. Laymen *excommunicated*.

Can. 5. Forbids *clerks* to have with them *women*, not related to them, except those which the *canons* allow them to dwell withal. It extends this prohibition to *eunuchs*.

Can. 6. Forbids those that are in orders, including the *sub-deacons*, to marry after their ordination.

Can. 12. Ties the bishops of *Afric* and *Lybia* to the law of the *celibacy*.

Can. 44. Against *monks* guilty of *fornication* or *married*.

Can. 48. The wife of him who is to be made a *bishop*, shall be put away from him, and shall withdraw into a *monastery*, at a distance from the *bishop's* residence.

Can. 83. Forbids giving the *eucharist* to the *dead*.

Can. 93. Condemns the marriages of those

those *men* and *women*, who are not sure of the death of their *wives* or *husbands*. But after those marriages have been contracted, and when the first husband comes again, he is *ordered* to *take his wife again*. CENT.
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CENTURY VIII.

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ST. BONIFACE, Archbishop of MENTZ,
about *anno* 719.

In letter II, he consults the bishop *Pethelmus* about the customs of *France* and *Italy*, by which it was forbidden to marry her to whose child he had been * *godfather*. Whereupon he says, that, till then, he thought there was no *harm* in it, having never found that it was forbidden by the *canons* or *decrees of the holy bishops*. He desires him to inform him, whether he has

* When it is considered, that *godfathers* and *godmothers* are to be reckoned among *animalia non descripta*—there being no trace of them in the ordinance of *baptism* as revealed in the *Bible*—the impediment of *marriage*, which arose from a supposed *spiritual cognation* between each other and the *baptized*, &c. must appear the more unwarrantable and absurd—But when men once depart from the *scriptures*, where will they stop?

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met with any thing about it in the *ecclesiastical* writings.

Near the end of a letter to *St. Cuthbert*, he tells him—"that it were convenient to
"restrain the women and virgins of *Eng-*
"land, from going in such numbers to
"Rome, because the greatest part of them
"were *debauched*, and caused great scandal
"in the whole church; for there is scarce
"a city, saith he, in *Lombardy* or *France*,
"where there are not some *English* women
"of a wicked life."

Pope GREGORY II, anno 714.

He prohibits marriages between persons related in the *fourth* degree. He enjoins the *bishops* not to ordain such as have been *twice married*—not to suffer any man to have *more wives* than *one*—to esteem *virginity* more highly than marriage.

Pope GREGORY III, anno 731,

Forbids marriage to the *seventh* generation.

Prohibits a *widower* to marry above twice.

Pope ZACHARY, anno 741.

Boniface, a German bishop, writes to *Zachary* on many subjects: among the rest, he

he desires to know what he should do with those *bishops, priests, and deacons*, who lived in many *disorders and debaucheries*? *Zachary* answers him, that he ought not to suffer them ~~to~~ perform the functions and offices that belong to their orders and degrees.

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N. B. St. Paul would have answered—*If they cannot contain, let them marry.*

Boniface also enquires, whether it be true, that one of his country had obtained a *dispensation* from *Gregory III.* (*Zachary's predecessor*) to marry his *uncle's widow*, which had been his *cousin-german's wife*, and had received the *veil*? The *Pope* answers—That his *predecessor* did not grant such a licence, because the *holy see* allows nothing contrary to the constitutions of the *councils*, and the *holy fathers*.

He prohibited a man from marrying his *father's god-daughter*, because of the *spiritual consanguinity*.

ST. JOHN DAMASCENE

Highly extols the state of *virginity*.

ST. CHRODEGAND, Bishop of MENTZ.

Can. 15. *Clerks* guilty of *heinous crimes*, such as *murders, adultery, robbery*, or the like, shall be chastised on their body; shall be exiled, or cast into prison, as long as the *bishop pleases*; and shall moreover do *public penance*.

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Pope STEPHEN II. anno 752.

Can. 2. Excuses a priest who had baptised with wine instead of water; and he intimates *that baptism* to be valid, in these words: *Infantes sic permaneant in ipso baptismo*—"The infants shall so abide in that baptism."

CHARLEMAGNE.

This *Emperor* may be reckoned among the Latin ecclesiastical authors, as well as *Constantine* among the *Greeks*, for he not only laboured in the establishment of church discipline, but moreover he made several laws, wrote letters, and caused some treatises of ecclesiastical matters to be composed: these are called *Capitularies*.

He empowers *bishops* to order the life of *widows*.

That they shall observe the *canons* concerning the *manner* of veiling *virgins*. The prohibition of contracting marriages, was extended to the fourth degree of consanguinity.

Women were forbidden to come near the *altars*.

They forbid to receive children into monasteries without the parents consent, and to veil *virgins* before *thirty* years of age, and *widows* before the *thirtieth* day after their husband's decease.

Prayers for the dead much practised.

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Council of BARKHAMSTEAD, anno 697.

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Can 3. *Adulterers*, if *laymen*, put to *penance*—if *clergymen*, to be *deposed*.

Can. 4. *Foreigners*, guilty of that *crime*, shall be expelled the realm.

Can. 5. and 6. Those of the nobility, overtaken in that *sin*, shall be fined in an *hundred pence*, and the peasant in *fifty*.

Can. 7. An ecclesiastical person guilty of *adultery*, if he break off that habit, shall continue in the *priesthood*, provided that he hath not maliciously refused to administer *baptism*, or that he be not a *drunkard*.

Council of ROME, under GREGORY II.
anno 721.

Can. 1—11. Against them that marry their *kindred*, persons *consecrated* to God, or the *wives* of *priests* and *deacons*, or who steal away *widows* or *maidens*.

Can. 14—16. Against a private man who had *married* a *deaconess*.

Council of GERMANY under CARLO-
MAN.

Can. 6. He or she, that hath committed *fornication*, shall be imprisoned, and shall do *penance* there with *bread* and *water*; and if he be a *priest*, he shall be *shut up* for *two years*, having been *whipt* till the blood comes; and then the *bishop* shall lay on him what *penance* he *pleases*.

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If it be a simple *clerk* or *monk*, he shall be whipt *three times*, and then shut up for *one year*. The *nuns*, which have received the veil, shall be used after the same manner, and shaved.

N. B. What an instance of tyranny over their fellow-creatures, were these people to exhibit! they prevent them from using the means, and remedy, which God hath commanded *in his word*, and then punish them most severely, for the natural consequences of their own prohibition! This observation will still hold good to this hour, as will be observed in its proper place.

Can. 7. Enjoins *monks* and *nuns* exactly to follow *St. Benedict's* rule.

Council of ROME under Pope ZACHARY,
anno 743.

Can. 1. *Bishops* shall not dwell with *women*,

Can. 5. Anathematizeth those who marry a *priest's* or a *deacon's* wife, a *nun*, or a *religious woman*, or their *godmother*.

Can. 6. Forbids marriage with a *cousin-german*,

Can. 7. Anathematizeth those who steal *maidens* and *widows*, to marry them.

Can. 8. Against those *clerks* or *monks* that let their hair grow.

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Council of Soissons, anno 744.

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Can. 8. *Clerks* shall have no women in their houses, except their *mother, sister, or niece.*

Council of VERBERIE, anno 752.

Can. 1. Those that marry in the *third* degree of consanguinity, shall be *put asunder*, and, after having done penance, they may *marry others*. Those in the *fourth* degree only shall not be separated, but only be put to penance if they be married; or otherwise not suffered to marry.

Can. 2. If any man hath had commerce with his *daughter-in-law*, he shall dwell no longer, neither with the mother nor with the daughter; and neither the *daughter*, nor he, shall *marry others*, but the mother may marry another.

Can. 3. If a *presbyter* marry his *niece*, he shall be obliged to leave her, and lose his degree. If any body else marry her, he shall be obliged to leave her, but shall have liberty to marry another.

Can. 5. If a wife conspire the husband's death, he may leave her, and marry another.

Can. 7. Slaves, who have a *concubine*, may leave her to marry their master's maid-servant, though they *do better* if they keep the first.

Can. 8. Permits the *master* to oblige
his

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his *slave* to marry his *maid-servant*, if he hath had any carnal knowledge of her.

Can. 9. Imports, that, if men be forced to go away from the place of their habitation, and their *wives* refuse to follow them, without any other reason but their love to their own country, it shall be free for those men, whose *wives* have thus left them, to marry others; but not for the *wives* to *marry* again.

Can. 10. Forbids him to marry who hath lain with his *mother-in-law*, and the *mother-in-law* likewise, and permits the *father-in-law* to marry again.

Can. 11. Inflicts the same punishment on defilers of their *daughter-in-law*, or *sister-in-law*.

Can. 12. He that lies with *two sisters*, shall have neither, though one of them were his *wife*.

Can. 17. Permits a woman, who complains that her husband never did cohabit with her, to try the *proof of the cross*; and if it appears, by *this trial*, that the thing is so, then she may do *what she pleaseth*.

Can. 19. The slave who is set at liberty may *put away his wife*, being a bond-woman, and *marry another*.

Council of VERNEVILLE, anno 755.

Can. 15. Enjoins both *nobles* and the *common people* to be *married publicly*.

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Council of METZ, anno 756.

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Can. 1. Against *incests* committed either with a *person consecrated* to GOD, a *she-gossip*, a *god-mother*, whether at *baptism* or *confirmation*, or with a *cousin-german*.

Can. 2. Appoints the *deposition* of the *superior clergy*, convicted of these *crimes*, and the *inferior* are to be *whipped* or *imprisoned*.

Second Council of NICE, anno 754.

Can. 22. Forbids *monks* to eat with *women*, unless it be needful for their *spiritual* good, or upon a *journey*, yea though they be their *relations*.

Council of AQUILEIA, anno 791.

Can. 4. Against *women's* cohabiting with *clergymen*.

Can. 8. Prohibits unlawful marriages between *kindred*, and *clandestine* marriages. It ordains that no marriages shall be contracted, but between parties which shall be known not to be a-kin; that there shall be an *interval* between *betrotting* and *marriage*; that the presence of the *priest* shall be requisite; that kindred, which shall be found to have married within the degrees prohibited [by the *canons*] shall be separated, and put to penance—that, if it be possible, they shall remain *unmarried*; but yet, if they will *have* children, or if they cannot

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cannot keep their virginity, they shall be permitted to marry others, and their *children* deemed *legitimate*.

N. B. In this *Popish* law we may trace one *source* of the delay of *marriage* by asking *banns* — the vacating *clandestine marriages* — the presence of a *priest* made necessary — all which, however improved in later times, owed their existence to *Popish* contrivance, and all for the advancement of *priestly* emolument and authority.

Can. 10. Forbids a man or woman, which have been divorced for *adultery*, to marry again. It affirms, that JESUS CHRIST in this case only permitted a man to *put away his wife*, but * *not to marry another*, and confirms this opinion by the *authority* of *St. Jerom*! The common practice was then contrary to this law.

Can. 11. *Virgins* or *widows*, which have promised to live *single*, and have taken the habit, though they have not received the *consecration* from the *bishop*, if they do secretly *marry*, or suffer themselves to be *defiled*, they shall be punished according to the rigour of the *civil laws*: and besides this, they shall be *put asunder*, and do penance all their life-time, unless the *bishop*, considering the greatness of their *repent-*

* Doubtless Matt. v. 32. and xix. 9. are alluded to.—Here is one proof, among many others, of the perversion and abuse of those texts.

ance, shew them some favour ; but at the point of death they shall not be deprived of the viaticum.

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Council of METZ, anno 813.

Can. 55. Forbids *parents* presenting their *own children* at the *font* ; or marrying one's *god-daughter*, or one's partner in the *suretyship* at a child's *baptism*, or even the person, whose *son* or *daughter* one has brought to be *confirmed*.

Council of MENTZ, anno 847.

Forbids all marriages, whether *incestuous*, or within the degrees of consanguinity *prohibited by the laws*.

Council of PAVIA, anno 850.

Can. 9. Forbids the benediction to be given to those *women*, who marry after they have been deflowered.

Marriage is forbidden to those who are under *penance*.

Can. 10. Declares that men cannot lawfully *marry* the persons they have *forced* ; and allows such persons no *absolution*, but just at the point of *death*. See Deut. xxii. 28, 29.

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Council of ROME under LEO IV. anno 853.

Can. 29. Commands, that *women*, who professed a *religious life*, should not *marry*.

Can. 36. Prohibits men's putting away their wives, and marrying others, unless in case of *adultery*, and *orders*. If a man and his wife are willing to part, to embrace a *religious life*, they must do it with consent of the *bishop*.

Can. 37. Forbids * *polygamy*.

Can. 38. Against *marriage* within the *degrees forbidden*.

Second Council of TULLIUM or TOUL,
anno 860.

Can. 2. *Widows* or *virgins* devoted to the service of GOD, who *marry*, shall be *imprisoned*, and put to *penance* 'till their death.

Council of WORMS, anno 868.

Can. 9. Contains a law of *celibacy* for all in sacred orders.

Can. 21. *Widows* who have taken the *veil*, prayed in the church among the professed *nuns*, offered oblations with them, and promised to continue in that state, shall never leave it.

* The authority on which this *practice* is forbidden, being the same on which *marriage itself* is prohibited, in so many instances unknown to the *scriptures*, must, to be sure, be truly respectable!

Can. 34. Prohibits to marry a *god-mother* or *god-daughter*.

Can. 35. Condemns to the penance of *murderers*, those *women* who cause *abortions* in themselves.

Can. 36. Subjects to *penance*, and separates him from his *wife*, who hath lain with his *wife's daughter* by another husband.

Can. 44. Condemns *adulterers* to *seven* years penance.

Second Council of DOUZY, anno 868.

Duda, a *nun*, being with child by *Huntburtus*, a *priest*, an assembly of *bishops* met, and ordered *Duda* that she should be put to *penance*, and scourged by the *abbess*, in the presence of her *sister nuns*, and not be received into communion 'till after *seven* years penance. They condemned *two nuns* who knew of it, but did not discover it, to *three* years penance, after being moderately chastised with the *rod*. It is not said what became of *Huntburtus*.

Qu? How many *child-murders* must such proceedings be the occasion of? The *canons* which we find against *these*, and causing *abortion*, are sad proofs of their frequency.

Council of TROYES, 878.

They made a *canon*, forbidding all *Christians* to marry a *second* wife while the *first* is living.

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Council of COLOGNE, anno 877.

Revived the *canons* of *councils* against *unlawful* marriages.

Council of MENTZ.

Can. 10. Enjoins *clergymen* absolutely to have *no woman* to cohabit with them.

Can. 26. Forbids that *widows* shall be easily admitted to the veil—if they embrace a single life, it orders, that they be put into the monasteries, where they shall live regularly with the nuns. If they violate their profession, they shall be punished *canonically*. They renew the canon of *Eleria*, made concerning *virgins* devoted to God, which violate their *virginity*.

Council of METZ, anno uncertain.

Can. 5. Priests shall have no women with them; no, not so much as their *mother* or *sister*.

Can. 10. *Excommunicates* some persons that had *gelt* a *priest*, who would oblige one of their kinswomen to return to her husband.

Council of VIENNA, anno 892.

Can. 5. *Priests* shall have *no women* with them.

Council of TRIBUR, anno 895.

Can. 5. He that kills a *priest*, shall do
five

five years *penance*. After this he may come into the *church*, but shall not communicate 'till *five* more years be expired.

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Can. 12. *Baptism* shall not be administered but at *Easter* and *Whitsuntide*.

N. B. There are many canons to this purpose in the preceding centuries, but they always add—"except in cases of necessity."

Can. 23. Revives the laws against those who marry *virgins* consecrated to God.

Can. 33. Revives those *canons*, which exclude such persons from holy orders as have made themselves *eunuchs*.

Qu? If, as the *clergy* were condemned to *celibacy*, these were not the properest persons for *clergymen*?

Can. 40. Declares the marriage of a man and a widow *null*, who have committed *adultery* together in the life of the husband, under promise of marriage.

Can. 41. If an impotent person marry a woman, and his brother abuse her, they shall be parted, and she shall not have commerce with either of them; yet the *bishop* may permit her to marry again, after the *guilty* person hath done *penance*.

Can. 43. If a person commit fornication with a woman, who hath lain with his *son* or *brother* without his knowledge, and he depose upon oath that he is not

CENT. conscious of any such thing, he may *marry*,
IX. after he hath done penance.

Can. 47. Allows him who is *godfather* to a man's child, to marry his *widow*, if she was not his *godmother*.

Can. 48. If a man by chance marry the *daughter* of his *godmother*, he may keep her, and live with her as his wife.

Can. 49. Forbids, that such as have committed *adultery* together should ever marry, dwell, or have society together. If they have any estate, it shall be kept for the *adulterous offspring*.

Can. 51. Repeats the prohibitions made to an *adulterer*, to marry the woman after her husband's death.

Can 54 and 58. Appoints *seven* years penance for *wilful murderers*. — Among other things—he shall not lie with his wife. See Gen. ix. 6.

Council of NANTES.

The canons which bear the name of this *council*, are a collection of constitutions made at different places.

Can. 3. Forbids a *priest* to have any woman with him, yea, those that are *accepted* by the *canons*. It forbids also *women* to approach the *altar*.

Can. 12. Allows a man to put away his wife for *adultery*, but not to marry another in her life-time. He may be *reconciled*.

conciled to her, but on condition that *he* does *penance* with her.

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Can. 13. *Three* years penance for *single* fornication.

Can. 14. *Seven* years penance on him that commits *adultery*, if married. *Five* on him that is not married.

Can. 17. Lays *fourteen* years penance on a *voluntary* and *public* murderer. *Five* years he shall be separated from the church; the rest of the time he may be at *prayers*, but without *offering* or *communicating*. See Gen. ix. 6.

The *bishops* of *Germany*, in a letter to Pope JOHN VIII. call *Rome*—"the holy apostolic see—the original of the CHRISTIAN RELIGION—and the source of PRIESTLY DIGNITY."

Pope NICHOLAS I. anno 858.

Proves, by the *canons*, that those who have married *two sisters*, may not *marry* any more for the *future*.

That those who have *married* their relations, and are upon that account *divorced*, cannot *marry* as long as *both* of them live: but it is not forbidden when one of them dies.

That *marriage* ought not to be forbidden absolutely to such as have committed the crime of *sodomy*, provided they repent of their sin, and have left off that *curse* habit.

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N. B. This *curfed habit* is punished lefs rigoroufly, than the having married *two fifters*.

Touching the *ceremonies* of marriage, he fays, that, after *betrothing*, the *priest* ought to caufe the perfons to come into the church with their offerings (*i. e.* to the *priest*) and there give them his *benediction* and the *veil*, which is not to be given in *second* marriages. That, being gone out of the church, they fhould wear *crowns* upon their *heads*. Thefe are the *ordinary* and *folemn* ceremonies; which, as the *Greeks* fay of *theirs*, need not nevertheless be *always* obferved. That *confent*, according to the *laws*, might fuffice, and that, if *that* be wanting, the reft fignifies nothing.

N. B. This article is very important—it contains an authentic record, even upon the testimony of a *Pope*, that in the *ninth* century, *facerdotal benediction*, or even *interpofition*, or other ceremony of an *ecclefiaftical* kind, were not neceffary to the validity of marriage; but that *confent* of the parties, according to the laws, both in the *eastern* and *western* empire, was fufficient.

He forbids marrying in *Lent*. Leaves it to the *bifhop*, or *priest*, to determine, after what *manner*, a man fhould *live with his wife during that time*.

He exprefsly forbids a man to have *two wives* at a time. Permits all *believers* to make

make the *sign* of the *cross* upon the table, and to give a benediction thereon in the absence of the *priest*.

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Pope JOHN VIII. 872,

Decides, that a man ought not to be parted from his wife, because he had *baptized* his child himself in a case of *necessity*.

That it is not permitted to *Christians* to marry their kindred, so long as they can make out *any relation*. That all those who are *so married*, and will *keep* their *wives*, or those that shall so marry for the future, to be subject to the church's *anathema* by APOSTOLIC authority, and forbids all *priests* to give them the *sacrament*, 'till they have done *penance*.

He also declares it unlawful to have *two wives*, or to have a *wife* and a *concubine* at the *same time*.

CENTURY X.

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Du Pin opens this *century*, with an account of the quarrel between *Leo*, Emperor of the *East*, and *Nicholas*, the *patriarch* of *Constantinople*, who refused to marry *Leo* to a *fourth* wife. Having had *three* before, but no issue male by them, he, being desirous of a *son* to succeed him, married a *fourth* wife; but *Nicholas* refusing to marry him to this lady, whose name was *Zoe*, a

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presbyter, whose name was *Thomas*, ventured to do it. *Nicholas* deposes *Thomas* for this, and excommunicates the *Emperor* himself.

Leo had recourse to the Pope (*Sergius*) for his approbation of the *marriage*, which, because such successive marriages were tolerated in the *West*, he easily obtained. But *Nicholas* the *patriarch*, continuing obstinate, would not acknowledge the *Emperor's* marriage as valid. The *Emperor* banished him, and placed *Entbymius* in his room. *Nicholas* wrote to the Pope, and stiffly maintained, contrary to the practice and opinion of the church of *Rome*, that to marry a *third* or *fourth* time, was absolutely unlawful. But the *patriarch*, receiving no answer from *Rome*, wrote another letter to Pope JOHN, wherein he offers, to observe a fair correspondence and union with the *holy see*, provided he would own, that a *fourth* marriage was not to be permitted to the *Emperor*, unless by way of *indulgence*, or consideration of his *royal person*, and that, *in itself* it was unlawful. The clergy were divided into two parties, one declaring for *Nicholas*, the other for *Entbymius*; but were re-united in the year 920; and made a treaty of union in an ecclesiastical *convocation*, by which (without disannulling any thing that was past) they absolutely prohibited for the future a *fourth* marriage, under pain of excommunication,

cation, to be inflicted on those who should contract such marriage, and to be in force during the continuance of such marriage. They likewise inflicted a penance, of *five* years, on such as should marry a *third* time, being above *forty* years old: and a penance of *three* years on such as should *re-marry*, after *thirty* years of age, if they had any children by their *former marriages*.

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Anno 956.

On the death of the patriarch *Theophylact*, the *Emperor* constituted *Polyeucta* in his room. This *patriarch* had a warm dispute with the *Emperor Nicephorus Phocas*, who having married *Theophanes*, the widow of the *Emperor Romanus*, *Polyeucta* threatened to *excommunicate* him, unless he would renounce her. 1. Because this was the *second* marriage which *Nicephorus* had contracted, without submitting to the penance due to those who were guilty of *bigamy*. 2. Because it was reported, that *Nicephorus* had stood *godfather* to one of *Theophanes*'s children.—The *Emperor* proposed these questions to the *bishops* who were then in *Constantinople*, and to the chief of his *council*; who left him at liberty to keep *Theophanes* as his *wife*: and *Polyeucta* himself did not insist any more on the dissolution of the marriage, after the *Emperor* had assured him upon *oath*, that he had

H 4

never

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X. never stood *god-father* to any of *Theophanes's* children.

LEO VII.

Declares that marriage between a man and his *god-mother* or *god-daughter* is *forbidden*.

Those *priests* who marry publicly, shall be deprived of their dignity; but their *children* shall not be endamaged thereby.

ATTO, Bishop of VERCEIL,

Shews, that, by the *ecclesiastical* and *civil* laws, marriage is prohibited to those who had contracted a *spiritual affinity* by *baptism*; contrary to the advice of that *bishop*, who found fault that one who had married his *god-father's daughter*, was divorced from her, and excommunicated, 'till such time as he made his appearance in a court of judicature, before the *archbishop* and *bishops*.

Ambrose, a priest of *Milan*, writes to *Atto*, to tell him, that these sorts of marriages were likewise prohibited in his church. *Atto* writes to *ecclesiastics* in his own *diocese*, against those who kept company with lewd women, with whom they maintained a scandalous familiarity, and whom they kept and maintained out of the revenues of the church.

About the *end* of this *century*, ROBERT,
King

King of France, being a widower, by the death of Queen *Lutgarde*, his first wife, had married *Bertha*, sister to *Radulphus* the simple, King of Burgundy, who was the widow of *Eudes*, first Count of *Chartres*. But forasmuch as she was his kinswoman, and he had formerly stood godfather to one of her children, though he had taken the advice of several bishops of his kingdom about it, yet the Pope opposed this marriage as null, and contracted between persons, who, according to law, could not marry together. King *Robert* did what he could to confirm this marriage, and spake about it to *Leo*, the legate of *Gregory V.* in France; who made him believe, that he would obtain of the Pope what he desired, provided he would cause *Arnulphus* to be reinstated in the archbishopric of *Rheims*. In the mean time, notwithstanding the judgment which was passed in favour of the Archbishop, Pope *Gregory V.* held a council at *Rome*, anno 998, in the presence of the Emperor *Otho III.* at which assisted *Cerbert*, at that time archbishop of *Ravenna*, and twenty-seven bishops of *Italy*. In this council he declared, that King *Robert* ought to part from *Bertha*, whom he had married contrary to the laws, and do penance for seven years together, according to the degrees set down by the canons; and if he would not, he should be anathematized: that

Bertha

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Bertha should submit to the same penalty; and he excommunicated *Archembold*, archbishop of *Tours*, who had celebrated that marriage, and the *bishops* of *France*, who had either *assisted* or *consented* thereto, 'till such time as they should come, and give the *holy see* satisfaction.

This sentence of the *Pope* made such an impression on the minds of men, that all the *king's domestics*, except *two* or *three*, abandoned him, and would no longer have any conversation with him, and even caused the vessels, out of which he had eaten or drunk, to be burnt. King *Robert* at last gave ear to the advice of *Abbo* the abbot, and parted with *Bertha*, two or three years afterwards. *LEO IX.* (as *Ives* of *Chartres* relates it) says, that they came to *Rome* with the *bishops*, to obtain their *absolution*, and get their *penance* mitigated.

The author of the life of *Abbo* does not say that *King Robert* went to *Rome*; but, that he confessed his fault both publicly and privately: that he asked pardon, and did penance for it. That which is most evident is, that the *marriage* was of no longer force.

Council of COBLENTZ, anno 922.

Can. 1. Forbids marriage between relations, to the *sixth* generation.

Council

Council of AUGSBURG, anno 952.

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Can. 1. *Priests, deacons, and subdeacons* that marry, shall be deposed, according to chap. 25. of the council of *Carthage*.

Can. 2. Against those *clergymen* who keep *suspicious women* in their houses.

Can. 7 and 8. Forbid them to hinder *clergymen* and *canonesses* from embracing the *monastic* life.

Can. 11. Not only *bishops, priests, deacons, and sub-deacons* shall lead a *single life*, but also, the *other clergy* shall be obliged to live *continently* when they come to years of maturity.

General Council of ENGLAND,

Held by ST. DUNSTAN, Archbishop of
CANTERBURY,

Ordained, that all *priests, deacons, and subdeacons* shall embrace a *regular and monastic* course of life, or retire. Accordingly, *St. Dunstan, and Oswald and Ethelwold*, bishops of *Worcester and Winchester*, turned the *old clergymen* out of most part of the churches, and put *monks* in their place, or else forced them to assume the *monastical* habit.

A certain very potent *earl* having married one of his *kinswomen*, *St. Dunstan* excommunicated him, and refused to take
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off his *excommunication*, although the king (*Edgar*) had commanded him, and the earl had obtained a *brief* of the *Pope* for his restoration. At last the earl, in fear of those *punishments* which the *divine vengeance* inflicts on *excommunicated* persons, left his *kinswoman*, did public *penance*, and threw himself down prostrate before *St. Dunstan*, in a council, *barefoot*, cloathed with a woollen garment, holding a *bundle of rods* in his hand, and lamenting his *sin*; from which *St. Dunstan* gave him absolution, at the request of the *bishops* of the *council*. The arrogance of this proud *priest*, shews us to what a height of insolence and tyranny *churchmen* were now arrived.

“ *St. Dunstan* was made *archbishop* of
“ *Canterbury*, anno 961. His skill in the
“ liberal arts and sciences (qualifications
“ much above the *genius* of the age he
“ lived in) gained him first the name of a
“ *conjurer*, and then of a *saint*. He is re-
“ vered as such by the *Romanists*, who keep
“ an *holy-day* in honour of him, yearly on
“ the 19th of *May*”—(*vide* also the *Pro-*
“ *testant Kalendar*.)—“ The *monkish* writers
“ tell us, that he was once tempted to
“ *lewdness* by the *Devil*, under the shape of
“ a *fine lady*; but instead of yielding to
“ her *temptations*, he took the *Devil* by the
“ *nose* with a pair of red-hot tongs.” See
GREY’S HUD. part 2. cant. 3. l. 618. n.

ALFRIC,

ALFRIC, Archbishop of CANTERBURY, CENT.

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Successor of *St. Dunstan*—wrote a letter concerning the *monastic* life—and another against the marriage of *clergymen*.

Few *councils* were held in this *century*. In most part of them the decrees were concerning *tytbes*—against churchmen who keep *concubines*—and against marriage among *near relations*. The degrees of *consanguinity* were extended to the *seventh*, in which it was forbidden to contract marriage; and *spiritual* affinity took place, as well in the *eastern* as the *western* churches. Such as married with *these impediments* were * *divorced* without redress; neither were any *dispensations* granted, as it appears from the case of *King Robert*, and that of the Emperor *Nicephorus Phocas*.

Fourth marriages were absolutely prohibited in the *eastern*, but not in the *western* parts.

In the reign of *Edmund* king of *East-Anglia*, about *anno* 944, a time when *monks* and *priests* had gotten full possession of the understandings and consciences of mankind, a mixed *synod* or *assembly* was held, wherein *ceremonies* of *marriage*, and preliminary *securities*, which the *parties* were to give one another, were settled. See *Rapin*, vol. i. 214.

* See *Mark* vii. 9.

RATHERIUS,

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RATHERIUS, Bishop of VERONA,

A man of great repute in *Italy*. A most violent stickler for the *canons*. He wrote several treatises: in one of which, he declaims against the irregular lives of the *clergy* of his time, and falls upon their *immodesty*, which was then at such an height, that "one could scarce" (says he) "find
" a man fit to be ordained a *bishop*, or any
" *bishop* fit to ordain *others*." He reckons up several horrible stories, and charges them chiefly with an infamous commerce with *women*.

Another treatise is an injunction against the marriage of a clergyman's son of *Verona*, which was performed on a *Sunday in Lent*. He declares it *irregular*, and that no marriage ought to be celebrated during *Lent*, nor on *fast-days*, nor on *Sundays*, nor on *holydays*: and orders all those who commit such a *fault*, to fast forty days; that is to say, when others eat at nine o'clock, they should stay 'till *noon* ere they eat—when others eat at *noon*, they should fast 'till *three* o'clock. He *excommunicates* such offenders, as would not submit to this *penance*, and declares that God would consign them over to *eternal damnation*.

FULCUS, Archbishop of RHEIMS, anno 882.

This *archbishop* wrote to several *kings* and *princes*, among others, to *Alfrede* King of
Britain,

Britain, whom he congratulates on the choice he had made of a worthy person to fill the see of *Canterbury*; because he heard, that, in his country, he advanced such sort of men, as permitted the *bishops* and *priests* to have *women* among them, and the *laics* to marry their *kindred*, as well as those *virgins* who were dedicated to God's service, and to have a *wife* and a *concubine* at the same time.

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ST. FULBERT, Bishop of CHARTRES,

Determines, that a woman who was engaged on oath to marry a man, could not marry another, 'till after his *death*, or by *his consent*. A woman, not being willing to live with her husband, and saying, she had rather live a *nun*, the husband desires he may have leave to marry another. *St. Fulbert* declares, that, 'tis his opinion, he could not have leave, 'till she were either *dead*, or *turned recluse*.

About the *middle* of this *century* the famous dispute concerning the *presence* of CHRIST's *body and blood* in the *eucharist* was revived.

Berenger, principal of the public school at *Tours*, and afterwards *archbishop* of *Angers*, a man of a most acute and subtle genius,

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nius, and highly renowned both on account of his extensive learning, and the exemplary sanctity of his life and manners, (see *Mosheim*, edit. *MacLaine*, vol. i. p. 534.) had the assurance to deny the *bodily presence*; and to maintain, “ that the *bread and wine* “ were not changed into the *body and* “ *blood* of CHRIST, but preserved their “ natural and essential qualities, and were “ no more than figures and external symbols of the body and blood of the divine SAVIOUR.”

This wise, scriptural, and rational doctrine was no sooner published, than it was opposed by certain doctors of *France* and *Germany*: but *Pope* LEO IX. attacked it with peculiar vehemence and fury, in the year 1050; and in *two councils*, one at *Rome*, the other at *Vercelli*, had the doctrine of *Berenger* solemnly condemned, and the book of SCOTUS, from which it was drawn, committed to the flames. This example was followed by the council of *Paris*, which was summoned the same year by HENRY I. in which *Berenger*, and his numerous adherents, were menaced with all sorts of evils both *spiritual* and *temporal*.

These threats were executed in part against this unhappy prelate, whom HENRY deprived of all his revenues. *Mosheim*, *ibid.*

Lanfranc, archbishop of *Canterbury*, was one of *Berenger*'s most formidable enemies.

He

He, and numbers of other considerable *churchmen*, wrote against *Berenger's heretical doctrine*. But one of the most curious, was *GUITMOND*, *archbishop* of *AVERSE*, who wrote books against that *heretic*, as *Berenger* was called; in one of which, *Guitmond answers* an objection made by *Berenger*, viz. "That the flesh of *JESUS CHRIST* is *incorruptible*, but the sacraments of the altar are *corruptible* if kept too long."

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Guitmond's reply to this, contains such a proof of the *size* of men's understandings, where they are retrenched by *prejudice* and *superstition*, to the standard of *vulgar notion* and *popular opinion*, that I cannot forbear laying it before the reader, as the translator of *Du Pin* now lays it before me. Cent. xi. p. 18.

"*Guitmond* replies—that, though the consecrated bread seems to be corrupted, to the apprehension of corrupted men; yet, in reality, it is not changed at all; and that it does not appear altered, unless as a punishment of the infidelity and negligence of men—that it cannot be gnawed by mice, and other vermin; and, if at any time it appears to be so, 'tis only to punish the negligence, or try the faith of men.

"Nor will he admit, that the fire can consume these mysteries; and he says, that with veneration they commit it to this
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“ most pure element, to be carried up
“ into *heaven*.

“ Lastly, he affirms, that, though the
“ *eucharist* may serve for *nourishment*, yet
“ it does not turn to *excrement*: and as to
“ that objection which might be made—
“ that, *supposing a man should eat nothing*
“ *for some considerable time, but consecrated*
“ *bread*, he would *nevertheless have occa-*
“ *sion to go to stool*—he answers, that, 'tis
“ matter of fact which has never been yet
“ experienced, and that it could never en-
“ ter the heart of any *Catholic* to try such
“ an experiment.—That if any of *Beren-*
“ *ger's* party thought fit to do it, one
“ should not trouble one's head much,
“ about what became of the *mass* of those
“ *infidels*, which committed so great a
“ *crime*; because, says he, we do not be-
“ lieve that the *bread* and *wine* are necessa-
“ rily changed into the *body* and *blood* of
“ JESUS CHRIST, unless among those who
“ have *faith* to believe this mystery, and
“ that the words of JESUS CHRIST are
“ *efficacious*.

“ Lastly, if any of them should order
“ a *Catholic priest* to consecrate one or
“ more great loaves, to try the experi-
“ ment, it is to be believed, that this loaf
“ would not be turned into *excrement*; or
“ rather, that God would permit these
“ *hereticks* to be *deceived*, by ordering some
“ *angel* or *spirit* to convey away this conse-
“ *crated*

“ crated loaf, and to put an *unconsecrated*
 “ one in its *stead*.”

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This *Berenger*, or *Beringarius*, as *Fox* calls him, was the first that was deemed an *heretic*, for denying *Transubstantiation*. See *Fox Mart.* vol. ii. p. 383.

LANFRANC, *Archbishop* of CANTERBURY.

In a letter to the *archbishop* of *York*, he very *clearly determines*, that it is not lawful for a *man* or a *woman*, divorced for *adultery*, to *marry* again.

Letter 21. To *bishop Herfast*, about a man whom he had ordained *deacon*, without having any order for it, who, besides, was a *married* man, and would not *turn off his wife*. He enjoins the *bishop* to depose the man from his *deaconship*, to give him, for the future, only the four *lesser* orders, and not to place him among the *deacons* unless he would *live single*. If he did that, then he should not confer the order of *deacon* upon him again, but only grant him a power of discharging his functions, by giving him the *gospels* in a *synod* or assembly of the *clergy*.

Council of PAVIA, under Pope
 BENEDICT VII.

Decr. 1. and 2. Prohibit the clergy from having any *concubines*, and from living with *women*.

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Council of ROME, 1051.

Gregory bishop of *Verceil* was deposed for *adultery*, and several laws made against incontinent *clerks*.

D°, anno 1059.

Can. 11. No person shall marry a relation, to the *seventh* generation, so long as the *kindred* may be known.

D°, anno 1063.

Alexander II. held this council, consisting of above 100 *bishops*. They revived the decrees of LEO IX. and NICHOLAS II. against those who *married* their *kindred*, till after the *seventh* degree.

In two other councils held at *Rome*, Alexander condemned those who maintained, that the degrees of *consanguinity* ought to reach no farther than to *cousin-germans*, which he calls the *heresy* of the *Nicolaitans*.

HILDEBRAND, or * GREGORY VII.

This *Pope's* decree against those *clerks* who either kept *concubines* or were *married*, removed, in *Germany*, *Italy*, and *France*, a

* For the history of this *miscreant*, see Fox, vol. i. 196.

great many *ecclesiastics* out of their places, who were found guilty of having *unlawful* commerce with *women*. CENT.
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These men not only complained of this *yoke*, which the *Pope* would impose upon them, but they likewise inveighed against him, and accused him of advancing an insupportable error, and such as is contrary to the words of OUR SAVIOUR, who says, that *all men* are not able to live *continently*; and contrary to the words of the *apostle*, who enjoins those who cannot live *continently*, to *marry*.

They added, that this law, which he would impose on them, which obliged them to live like *angels*, by offering force to the ordinary * course of nature, would be the cause of great disorders: that, moreover, if the *Pope* persisted in his resolution, they had rather renounce the *priesthood* than *mar-*

* Qu? How much less is it contrary to "the ordinary course of nature" to compel men to live in a state of *celibacy* (for that is the fact) who cannot afford a *divorce* from *adulterous* wives, or who are under necessary, perpetual, and irrevocable *separation*, and, perhaps, bound by large penalties to abstain from all intercourse whatsoever with the women to whom they have been married? *Pope Gregory* had just as much right to impose *celibacy* on the *clergy*, as the *Protestant* powers have to inflict it on such as are above-mentioned. Such a thing was never heard of in the *Jewish law*, nor ever would have been thought of, unless *men* had abolished the whole *æconomy* of that most righteous *system* relative to *marriage*, and taken upon themselves that which belongs to God only.

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riage, and let him see if he could get *angels* to take care of their *flocks*, since he would not make use of *men*. This was the language of those *corrupted* ecclesiastics (says *Du Pin*) according to the account of an historian of that time.

But the Pope pressed the execution of his decree, and wrote very warm letters to the *bishops*, to oblige them to take strict care of it.

The *archbishop* of *Mayence* doing his utmost therein, found how difficult it was to root out an *abuse*, so inveterate, and so general, as this was; and before he proceeded against the refractory, he gave them *six months* time to *reclaim*. Lastly, having called a *synod* at *Erford*, he told them, that they were either to renounce their *pretended marriages*, or else their attendance on the *altar*.

When they found they could not, by their *prayers*, prevail upon him to alter his resolution, they withdrew from the council in great wrath, threatening either to turn the *archbishop* out or to kill him. He, to pacify them, ordered them to be called back again, and promised he would send to *Rome*, and endeavour to work the *Pope* over to another mind.

The decree of *Gregory* met with no less opposition in *France*, *Flanders*, *England*, and *Lombardy*, than it did in *Germany*; and this opposition rose so high at *Cambray*,
that

that they caused a man to be *burnt*, who had asserted that *married priests* ought not to celebrate the *mass*, or any *divine office*, and that no man ought to assist them therein.

All this did not *discourage* Gregory VII. in the *least*: on the contrary, he wrote several letters to the *princes* and *bishops* of these countries, whereby he enjoins them not to tolerate *clerks* that were *married*, or kept *concubines*. He then ordered an apology of his decree to be issued out, in the nature of a *manifesto*, wherein he very much exalts the authority of the *holy see*, and the *decretals* of his *predecessors*.

He afterwards decreed, that the *bishops*, who shall permit *priests*, *deacons*, or *sub-deacons* of their *diocese* to live *married*, shall be *suspended* of their *functions*.

During this *Popedom*, *Hugh* bishop of *Dia*, held a council at *Poitiers*, wherein it was decreed—

Can. 8. That the children of *priests*, and *bastards*, shall not be admitted into *holy orders*, unless they be *monks*, or live in a regular *convent*. But that they shall not hold any ecclesiastical preferments.

Can. 9. *Sub-deacons*, *deacons*, and *priests*, shall have no *concubines*, or any other suspicious women in their houses; and all they who hear a *mass* of a *priest* that keeps a *concubine*, shall be *excommunicated*.

William Duke of Aquitaine, and Count of
I 4 *Poitiers*.

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Poitiers, having married one of his *relations*, the *legate* of the holy see, and the archbishop of *Bordeaux*, called a synod, to oblige him to *part* from her. However, the *duke*, of his own accord, *parted from his wife*. With this submission *Gregory* was highly pleased.

Gregory determined that a woman, who had married one of her *kinsmen*, and was become a *widow*, ought not to receive any *dowry*, from any part of her husband's revenue, nor to have any advantage of that marriage, which was in its own nature null.

Letter 48. He orders a man who had killed his brother, to be prevented marrying till he had done *penance*.

Letter 50. He determines, that one who is not born in *lawful* wedlock (*i. e.* such as the *canons* deemed *lawful*) cannot be advanced to the *episcopacy*—because it is contrary to the *canons*.

Council of MELPHI, under URBAN II.
anno 1089.

URBAN II. renewed the decrees against the *fimonic*, and concerning the *celibacy* of those who were in *holy orders*. He therein enjoins, that none shall be admitted into *holy orders* but such as had led *chaste* lives, and had never been married to more than one woman. He declares the *sons* of *priests* incapable of *holy orders*, unless they have

have taken upon them the monastical habit.

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Council of BENEVENTO, anno 1091, under URBAN II.

Can. 4. *Laics* are forbidden to eat *flesh* after *Ash-Wednesday*—and all the *faithful* of *both sexes* are enjoined to put *ashes* on their heads on that day.

It is likewise ordered, that *no marriage* shall be *solemnized*, from *Septuagesima Sunday*, till after the *octave* of *Whitsuntide*; and from the first Sunday in *Advent*, till after the *octave* of *Epiphany*.

Council of CLERMONT.

Can. 9, 10. Against those clerks who keep *concubines*.

Can. 11. Prohibits promoting to holy orders the *sons of concubines*, or the bestowing any benefices upon them, unless they have embraced the monastical or *canonical* life.

Can. 25. The children of *priests*, *deacons*, and *sub-deacons*, shall not be promoted to *holy orders*, if they be not either *monks* or *regular canons*.

Can. 29, 30. Those who fly to *a cross*, shall be as secure as those who fly to *a church*. They shall not be delivered up to *justice*, till they are assured that no violence shall be offered to their lives or members.

Council

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Council of NISMES, anno 1096.

Can. 10. Those who marry their *relations* shall be *excommunicated*.

In this *century*, there were violent controversies between the *Latin* and *Greek* churches; and among other *curious* particulars of accusation against the *Greeks*, Cardinal *Humbert* charges them with permitting *married men* to wait at the *altars*, even at the time when they had to do with their *wives*: and charges *Nicetus* with being a *Nicolaitan*, because he opposed the *celibacy* of the *priests* and *deacons*. He explains the *canons*, which prohibit *priests* from *parting* with their *wives*, of the care they ought to take of them, in looking upon them *still* as *their wives*, though they have no carnal knowledge of them.

He produces the canon of the council of *Nice*, concerning *women* who live with *clerks*, and several *authorities of the Popes*, to prove that *priests* ought to live *chastly* (*i. e.* in *celibacy*.)

He charges the *Greeks* for not ordaining *priests*, till they had obliged them to *marry*, and concludes all with *anathematizing Nicetus*, who had written on these points against the *Latin church*.

Whoever has a mind to read as much *nonsense* and *absurdity* as would reach from *Rome* to *Constantinople*, and *back again*, may meet with it in these famous *controversies* between

between the *Latins* and *Greeks*. One charge against the *Latins* was, that, “*monks* might be permitted to eat *flesh* and *butter*.”—Another—“that they were guilty of eating *cheese* and *eggs* in the *holy week*.”

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PETER DAMIEN, Cardinal Bishop of
OSTIA.

In a *letter* to his nephew *Damien*, (whom he exhorts to be zealous in the exercises of a *monastical* life) he reproves him for having gone from an *hermitage* to a *monastery*, and exhorts him to return thither again. In another, he reproves a *monk*, who delayed turning *hermit*, because he could hardly persuade himself not to *drink wine*.

This *Cardinal* wrote a treatise called the *Gomorrbean*, dedicated to Pope *Leo IX.* who approved of it, in a letter which is prefixed at the beginning. In this tract he proves that *clergymen* who have committed sins of uncleanness, which modesty does not permit to be named, ought to be deprived for ever. He rejects the *canons* of the *penitential books*, which impose *too light penances* for those *sorts of crimes*, of which he shews the enormity: he inveighs against those persons who are guilty of such notorious offences, and exhorts them to a speedy repentance, and to do severe *penance*.

N. B. How is it, that this *cardinal* did not see, that the *unnatural* wickedness, which

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which he complains of, among the *clergy*, was the *natural* consequence of their *celibacy*, and being shut up together in *monasteries*, where *no women* must ever enter?

But so blinded was this *cardinal* to the *real source* of the evil, that, when he began to think the time of his dissolution drew near, he excused himself from going to *Mount Cassin* on a visit, “lest he should die out of the precincts of a *monastery*.”

In a tract dedicated to *John* bishop of *Cesena*, and to the *archdeacon* of *Ravenna*, he *confutes* the opinion of the lawyers, who restrained the *degrees* of *consanguinity*, in which one might contract marriage, to the *fourth degree*, and imagined that *grand-nephews* and *grand-nieces* may intermarry. He maintains, that *as far* as any *consanguinity* or *affinity* can be *discerned*, matrimony ought not to be contracted; which takes place to the *seventh degree*.

He also treats at large of *alms-giving*, and shews the usefulness of it, both for the *living* and the *dead*.

Treatise 17th, to Pope *Nicholas II.* he exhorts him to put a stop to enormities committed by *unchaste* clergymen, and to make use of the severity of the *canons* against them, in imitation of *Phineas's* zeal.

His *eighteenth* treatise consists of three letters, which shew, very evidently, whom he ranked among *unchaste* clergymen; for he

he shews that the *clergy* are obliged to lead a *single life*, and inveighs most bitterly against those who *married* or kept *concubines*.

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In another letter, he recommends *chastity* to his nephew *Damien*, and persuades him to receive the *communion every day*, to be in a condition to preserve that virtue. Afterwards he gives him wholesome instructions to withstand the temptations of the *Devil*.

ST. ANSELM, Archbishop of CANTERBURY, 1089.

In a treatise of marriages between near relations, he enquires into the reasons of that prohibition, which he extends *only* to the *sixth* degree of *consanguinity*.

This *saint* was a great opposer of *priests' marriage*. Under his auspices a council was held, in which was decreed, "an order for priests to be sequestered from their wives, which before were not forbidden (in *England*) according as the words of mine author do purport (says *Fox*) whose words be these. ANSELMUS *prohibuit uxores sacerdotibus ANGLORUM ante non prohibitas. Quod quibusdam mundissimum visum est, quibusdam periculofum, ne dum munditias viribus majores appeterent, in immunditias horribiles ad Christiani nominis summum dedecus inciderent. Henr. Hunt.*"—"ANSELM prohibited

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“hibited *wives* to the priests of the *Eng-
lish*, which were not prohibited before.
“Which thing appeared to some *most*
“*filthy*, to others *dangerous*, lest, while
“they earnestly endeavoured after greater
“*purity*, they should fall into *impurities*, so
“horrible, as to bring a disgrace on the
“*Christian* name. ANSELM did not at-
“tend to this, but made a canon for the
“*excommunication* of *sodomites*, which was
“never published.” See *Thelyph.* vol. i.
p. 177, n. first edit.—171, second edit.

“After this *council*, *Herbert*, bishop of
“*Norwich*, had much ado with the *priests*
“of his *diocese*, for they would neither
“*leave their wives*, nor *quit their benefices* :
“whereupon he wrote to *Anselm* for ad-
“vice. *Anselm* required him (as he did
“others at the same time, by writing) to
“persuade the people of *Norfolk* and *Suf-
folk*, that, as they *professed Christianity*,
“they should subdue them as *rebels* against
“the *church*, and utterly drive both *them*
“and *their wives* out of the country,
“placing *monks* in their rooms.

“The like business had also *Gerard*,
“archbishop of *York*, in depriving the
“*priests* of his *province* of their *wives* :
“which thing, with all his *thunderings*
“and *excommunications*, he could hardly
“bring about.

“Upon this ruffling of *Anselm* with
“married priests, were rhyming verses
“made,

“ made, to help the matter withal, when
 “ reason could not serve; which verses,
 “ for the folly thereof, I thought here to
 “ annex.

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“ *O male viventes, versus audite sequentes;*
 “ *Uxores vestras, quas odit summa potestas,*
 “ *Liquite propter eum, tenuit qui morte trophæum,*
 “ *Quod si non facitis inferna claustra petetis.*
 “ *CHRISTI sponsa jubet, ne Presbyter ille ministret,*
 “ *Qui tenet uxorem, Domini qui perdet amorem:*
 “ *Contradicientem fore dicimus insipientem:*
 “ *Non ex rancore loquor hæc, potius sed amore.”*

See Fox. Mart. vol. i. p. 216.

I stand not to comment on the false
profody in these verses—their *quality*, not
 their *quantities*, are most to the purpose;
 the *English* reader may be acquainted with
 the *former* by the following translation—

“ *O ye evil-livers, hear the following verses;*
 “ *Your wives, which the SUPREME POWER hateth,*
 “ *Leave for his sake, who triumphed in death;*
 “ *Which if ye do not, you WILL GO TO HELL.*
 “ *The spouse of CHRIST commands, that the Presbyter*
 should not minister,
 “ *Who keeps a wife, who will lose the love of the Lord.*
 “ *He that contradicts this, we say, is foolish:—*
 “ *I speak not this out of rancour, but rather from love.”*

We may observe, that now the seeds of
 opposition, and contempt of the *word*, and
ways, and *will* of GOD, concerning marriage,
 in this *kingdom*, were growing up, from
 the *planting* of *Austin* the monk, anno 597, to
 the *watering* of his successor *St. Anselm*, who
 died anno 1109, towards that maturity, to
 which

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which they will be found to have arrived, before we have finished our enquiries upon the subject.

Some years after the above verses had been sent forth, they met with an answer, from the pen of *Walter Mapes*, archdeacon of *Oxford*, in the reign of *Henry II.* This same *Walter* seems to have been a very merry fellow, and to have indulged a vein of pleasantry in all his compositions; some of which I have seen, and among others the following *drole* on the prohibition of clerical marriage, which I will here insert for the entertainment of my *learned readers*; and if any of them will favour me with a suitable translation of them, it shall make its appearance in the next edition of this volume, that my *unlearned* readers, as well as they, may find a little entertainment in the midst of this dry and barren desert of *Popish* quotation.

Part of the account which I find of this man, in an old book, intituled, “*Remaines concerning Brittain*”—printed anno 1629, runs thus—

“*Walter de Mapes*, arch-deacon of *Oxford*, who, in the time of *K. Henrie II.* filled *England* with his merriments, when the *Pope* forbad the *clergie* their wives, became proctor for himself and them, with these verses; desiring only for his fee, that every *priest*, with his *sweet-heart*, would say a *pater-noster* for him.”

Prisciani

*Prisciani regula penitus cassatur,
Sacerdos per hic & hæc olim declinatur ;
Sed per hic solummodo nunc articulatur,
Cum per nostrum præfulem hæc amoveatur.*

*Ita quidem presbyter cæpit allegare,
Peccat criminaliter qui vult sepe'rare
Quod DEUS injunxerat, fœminam amare :
Tales aîgnum duximus fures appellare.*

*O quàm dolor anxius, quàm tormentum grave,
Nobis est q'mittere quoniam suave !
O Romane Pontifex, statuisti pravè,
Ne in tanto crimine moriaris, cave.*

*Non est * Innocentius, imo nocens verè,
Qui quod factò dæcuit, studet abolere,
Et quod olim juvenis voluit habere,
Modo vetus Pontifex studet prohibere.*

*Gignere nos præcepit vetus testamentum,
Ubi novum prohibet nusquam est inventum :
Præsul qui contrarium donat documentum,
Nullum necessarium bis dat argumentum.*

*Dedit enim DOMINUS maledictionem
Viro qui non fecerit generationem ;
Ergo ibi consulo, per hanc rationem,
Gignere ut hab-as benedictionem.*

*Nonne de militibus milites procedunt ?
Et reges a regibus, qui sibi succedunt ?
Per locum a simili omnes jura lædunt,
Clericos qui gignere crimen esse credunt.*

*Zacharias habuit prolem & uxorem,
Per virum quem genuit adeptus honorem ;
Baptizavit enim nostrum SALVATOREM :—
Pereat qui teneat novum hunc errorem.*

*Paulus cælos rapitur ad superiores,
Ubi multas didicit res secretiores :
Ad nos tandem red ens, instruensque mores,
Suas (inquit) habeat quilibet uxores.*

*Propter hæc, & alia dogmata doctærum,
Reor esse melius, & magis decorum,
Quisque SUAM habeat & non proximorum,
Ne incurrat odium, & iram eorum.*

* Nomen Papæ.

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*Proximorum fœminas, filias, & neptes,
Violare nefas est, quare nihil disceptes:
Vere TUAM habeas, & in HAC delectes,
Diem ut sic ultimum tutius expectes.*

*Ecce jam pro clericis multum allegavi,
Necnon pro Presbyteris plura comprobavi:—
PATER-NOSTER nunc pro me quoniam peccavi,
Dicat quisque PRESBYTER cum SUA SUAVI.*

Synod of ARRAS, anno 1025.

News being brought to Gerard, bishop of Cambray and Arras, that there was a sect of *heretics* arrived from Italy, who taught, that “*marriage* was condemned by “ the ordinances of the gospel,” the bishop summoned a *synod* at Arras, wherein this, and some other errors, were refuted, and the heretics brought to subscribe a *recantation*.

Council of BOURGES, anno 1031.

Can. 5. *Priests* who *cobabit* with their *wives*, shall only be *readers* or *chanters* for the future. *Deacons* and *sub-deacons* shall not be suffered to keep their *wives* or *concubines*.

Can. 6. The *bishops* shall oblige them to take an *oath* to that purpose, at their ordination.

Can. 7. All who are employed in *ministerial* functions, shall have ecclesiastical *tonsure*—i. e. their beards shaved, and the crown made on their heads.

Can.

Can. 8. The *sons* of *deacons* or *sub-deacons* shall not be admitted into the *clergy*.

Can. 10. Such shall be deemed *sons* of *clergymen*, as were born after their fathers quitted the *ecclesiastical* state, and returned to that of *laics*.

Can. 11. Bishops shall declare, at the time of ordination, that they *excommunicate* those who shall presume to present to them *sons* of *clergymen* to be ordained, and that such as have got their ordination by surprise shall be deposed.

Can. 16. Those who leave their wives, except upon account of *adultery*, shall not marry others, as long as the former are living, nor the women other husbands in like cases.

Can. 17. No man shall take to wife a relation, to the *sixth* and *seventh* degree of consanguinity.

Can. 18. None shall marry, in like manner, his *kinsman's* wife.

Can. 19. No man shall give his daughter in marriage to any *priest*, *deacon*, or *sub-deacon*, or to their *sons*.

Can. 20. None shall marry the daughters of the *clergy*. After the session of this *synod*, *Aimo* the *archbishop* declared, that *St. Martial* should be styled an *apostle* in all the church offices.

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Council of LIMOGES, anno 1031.

The same question was debated, and after many arguments, the *apostolical dignity* was conferred on *St. Martial*.

For the nonsensical disputes about this *St. Martial*, between the *priests* and *monks*, see MOSHEIM, edit. *Macl.* vol. i. p. 540—1.

The *canons* against *incontinent* clergymen were *revived*.

The bishop of *Puy en Valay* reported, that the *Count* of *Clermont* being *excommunicated*, for leaving his lawful wife to marry another, made a journey to the *court* of *Rome*, where he obtained *absolution* of the *Pope*, who had no notice of the *sentence* passed against him. That the *bishop* having made a complaint, the *Pope* returned for answer, that he ought to blame himself for what had happened, as he did not inform him that the *Count* was *excommunicated*. The *Pope* added, that, if he had known it, he would have confirmed the *bishop's sentence*, because he makes profession to assist his brethren in *every thing*, and not oppose them: therefore he abrogated and made void the *penance* and *absolution* granted to that *excommunicated* person, who ought to expect nothing but a *curse*, 'till he has made *satisfaction*, and has been *duly absolved* by his *diocesan*.

Councils held in FRANCE, 1040.

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It was ordained in all these *councils*, that the people should abstain from eating *flesh* on *Fridays* and *Saturdays*, and from drinking *wine* on *Fridays*; and that, in consideration of this *abstinence*, offenders should be discharged from other *penances*, provided they bound themselves by *oath* to observe it.

A great number of bodies of *saints*, and *abundance* of *relics*, were brought into these councils; and it was *generally* believed, that many *miracles* were wrought therein.

Council of RHEIMS, anno 1049.

The bishop of *Langres* was accused by one of his *clerks*, for that he, the said *bishop*, took away the wife of him, the said *clerk*, and after having *abused* her, made her a *nun*. The *bishop*, not appearing, was *excommunicated*: as were all those *prelates*, who, being summoned to this *council*, and did not appear. N. B. Here is a precedent of *excommunication* for non-appearance on *citation*.

Can. 11. No man shall take to wife any of his *near relations*.

Lastly. All those persons were *excommunicated*, who should protect, or hold correspondence with, the new heretics of *France*, the *sodomites*, and certain *lords* who

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had contracted *forbidden marriages*, and assaulted some *bishops* and other *clergymen*.

Council of TOURS, 1060.

Can. 9. Those men who marry their *kinswomen*, or those women who keep an unchaste correspondence with their *kinsmen*, and refuse to leave them, or to do *penance*, shall be *excluded* from the communion of the faithful, and turned out of the *church*.

NORMANDY.

Council of ROUEN, *anno* 1050.

Can. 1. The articles of faith, comprized in the *creed* of the *catholic* and *apostolic* church, ought to be *firmly* adhered to.

Qu? What was become of the *scriptures*?

Council of LISIEUX, *anno* 1055; and that of ROUEN, *anno* 1063.

The *archbishop* of Rouen, under whom the preceding council was held, was deposed *anno* 1055, in another council convened at *Lisieux*: — that which chiefly brought on him this condemnation, was the displeasure of duke *William*, his *nephew*, who was incensed against him, because he had *excommunicated* that *prince*, upon account of his marriage with the princess

Matilda, his *kinswoman*, the daughter of *Baldwin* count of *Flanders*. CENT.
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This prelate published a *confession of faith* against *Berenger's* erroneous opinions. See before, 113.

Council of ROUEN, anno 1072.

Can. 14. No marriages shall be solemnized *privately*, nor after meals. The *bridegroom* and *bride*, being *fasting*, shall be *blessed* by a *priest*, in like manner *fasting*. Before he proceed to *marry* them, enquiry shall be made, whether the parties be not *relations*, in the *seventh* degree of *consanguinity*.

Can. 15. *Priests*, *deacons*, and *sub-deacons*, who are married, cannot enjoy any church revenues, nor dispose of them by themselves or by others.

Can. 16. A man cannot marry a *widow*, with whom he is *suspected* to have *conversed* scandalously, in her husband's life-time.

Can. 17. A man, whose wife is veiled a *nun*, cannot take another as long as she is living.

GERMANY.

Council of SELINGENSTADT, anno 1023.

Can. 1. Abstinence from eating flesh shall be observed fourteen days before the *festival* of *St. John*, and before *Christmas*; on the *vigils* of the *Epiphany*, of the *festivals*

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vals of the *apostles*, of the assumption of the *Virgin Mary*, of *St. Lawrence*, and of all the *saints*.

Can. 2. Fixes the *Ember weeks*.

Can. 3. Denotes the time when the solemnization of matrimony is *forbidden*, viz. from *Advent* 'till after the *Epiphany* (five weeks) and from *Septuagesima* 'till after *Easter* (nine weeks) making together above a quarter of a year; as also on the *above-specified days* of abstinence. N.B. Let the reader add all these together, and he will be at a loss to conceive when marriage could be solemnized.

Can. 11. The first degree of *consanguinity* shall be reckoned from the *cousins-german*.

The Council of MENTZ, anno 1069.

Sigefroy, or *Sigefrid*, archbishop of *Mentz*, held this *council*, in which the emperor HENRY IV. made a proposal to *divorce* his wife, because he could have no issue of her body. *Sigefrid* inclined to this opinion; but *Peter Damien*, the *Pope's legate*, being arrived, prevented the *divorce*. The archbishop wrote to *Alexander II.* that " he had
" prohibited the emperor from divorcing
" his wife under pain of *excommunication*;
" but that this prince having alledged, that
" he could not have *carnal copulation* with
" her, and the *emprefs* having owned her
" *impotency*, he found himself obliged to
" consult

“ consult the *Holy See* about so extraor-
 “ dinary a case; that he was unwilling to
 “ pass judgment on the affair in a *council*,
 “ which was called upon *that* occasion,
 “ ’till he received his answer, and en-
 “ treated him to send his *legates*, to examine
 “ and decide the matter in *Germany*.”

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How this matter ended is not said, but, it is to be supposed, in favour of the *divorce*; and that the *emperor* married again: as we find *him*, with his *emprefs* and his *son*, afterwards waiting, bare-legged and bare-footed, at the gates of *Canusium*, three days and three nights, in the depth of winter, before he could be admitted to have an audience of Pope *Hildebrand*, who had excommunicated him. See *Fox*, vol. i. 202.

ENGLAND.

The Council of AENHAM, anno 1010.

King *Ethelred* called a council, in which *Elphegus*, archbishop of *Canterbury*, and *Ethelred*, archbishop of *York*, assisted, and made several constitutions and rules, that ought to be followed by the *clerks* and *monks*—concerning the celibacy of *priests*, and other *clergymen*—against *superstitious* practices and *incontinency*—about the rights of churches, particularly *St. Peter's* pence—the *great festival* of the *Virgin Mary*—the *Ember weeks*—concerning the time in which marriages are forbidden to be solemnized

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Council held at LONDON, *anno* 1075.

Superstitions were forbidden, and the *celibacy* of the clergy was *strictly* enjoined.

D° *anno* 1102 *.

Can. 4. Revives the constitutions about *celibacy*.

Can. 12. Declares promises of marriage, made without witnesses, to be *null*, if denied by one of the parties.

Can. 14. Prohibits marriages to the *seventh* degree of consanguinity.

Can. 16. *Sodomy* is forbidden under very severe penalties, and this case is reserved to the cognizance of the *bishops*. These constitutions were confirmed by the see of *Rome*.

In the year 1108, *St. Anselm* held another council at *London*, in which he made *ten* very rigid canons against *priests* and *deacons*, who *married*, or *lived incontinently*.

* *N. B.* This Council rather belongs to *Cent. XII.* but I set it down as I find it in *Du Pin*.

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Council of COYACO, anno 1050.

Can. 3. *Priests and deacons shall not keep any women in their houses, unless their mother, sister, aunt, or mother-in-law.*

Can. 4. *Persons guilty of murder, adultery, or any sort of uncleanness, shall be obliged to do penance; and if they refuse to do it, they shall be separated from the church and the communion.*

Can. 12. *Those who have taken sanctuary in a church, nay even within thirty paces of it, shall not be taken from thence by violence.*

Du Pin, in his observations on this *eleventh century*, says, that *marriage*, and *concubinage* of *clergymen*, had their career, at last, quite stopped, by the means of a vast number of decrees; that the sentences of *excommunication* were so frequent as to become *contemptible*. They extended even to the *third* generation of those who conversed or corresponded with the *excommunicate*.

The use of the *disciplining whip*, unknown to all antiquity, began in the end of *this century*—the custom of doing *penance* for *another*, was likewise introduced at *that time*.

Ivo, Bishop of CHARTRES,

Was a great writer; *Du Pin* mentions 287 letters of his, yet extant.

Letter 99. Is the resolution of a question proposed by *Gualon*, abbot of *St. Quintin* in *Beauvais*, viz. "If children
" under *six* years of age can be contracted
" or married with one another; and in
" case there be only a contract between
" them, and one of the parties die, whether the surviving party may marry the
" *brother or sister* of the other?"

" Answer. None can actually marry
" 'till the age of *fourteen*, but that children may *promise* marriage to each other,
" as soon as they are at years of discretion,
" which he determines to be at *seven* years
" of age; and that a *contract* agreed on at
" that age, shall hinder either party, if
" one of them die before they are completely *married*, from *marrying* with the
" *brother or sister* of the deceased."

Letter 122. To *Volgrin*, archdeacon of *Paris*, asserts, that a *Jewish* woman, marrying a *Christian* husband, and afterwards returning to *Judaism*, is not freed from her *conjugal* vow, nor, though she leave him, can the man marry with another during her life.

In

In Letter 123. To *Gaultier*, library-keeper of the church of *Beauvais*, he gives his opinion on a *difficult case*, which he had consulted him upon—viz.—“ how he
 “ should proceed against a *priest*, who had,
 “ in a profane manner, made use of other
 “ *ceremonies* and *words* than are prescribed
 “ in the *form* of *marriage*?” *Ivo* tells him, that “ he had never yet heard of *so*
 “ *foul a sacrilege*, nor was there *any* provi-
 “ sion against it in the *canons*; and there-
 “ fore, this being a *crime* wholly *new* and
 “ *unparalleled*, some more than *ordinary*
 “ punishment ought to be inflicted on the
 “ author of it: however, not to deal *too*
 “ *severely*, without warrant and authority
 “ from scripture, or the *ecclesiastical* laws,
 “ he thinks it sufficient, that such punish-
 “ ment be laid on him, as the *canons* or-
 “ der to be inflicted upon those that vio-
 “ late the *sacraments* and *holy things*.”

On the above we may observe, that *marriage* was getting more into the hands of the *priests*—that the *church* had increased its *ceremonies* since the time when the *priest* only attended to give a *benediction*—that they were very *jealous of any disrespect to these *ceremonies*—but that *marriage* was not yet a *sacrament*.

Letter 155. To *Odo*, archdeacon of

* As well they might be, for they hung by the slender thread of human invention.

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Orleans, Ivo treats of this question, "If
" a woman who has committed *fornica-*
" *tion*, and is great with child, may
" marry? and concludes, that, in strict-
" ness, no *great-bellied* woman ought to
" have *carnal knowledge* with any man—
" but, considering the infirmity of the
" flesh, *St. Paul* advises men to *use their*
" *own wives*, for avoiding *fornication*, al-
" though they are *with child*, and there-
" fore, by consequence, a man may marry
" a woman in that condition."

N. B. Here we may suppose what they meant by *fornication*, namely, the man and woman *coming together* without a *priest*: this, as we shall find, was not brought to its perfection 'till the next *century*.

Letter 158. He acquaints *Hugh*, archbishop of *Lyons*, that King *Philip* and his son are resolved to make the marriage void, of *Constance*, the king's *daughter*, and *Hugh* earl of *Troyes*, because of their being too nearly *related*; and desires the *archbishop* to send speedily to all the *bishops*, summoned to court on this occasion, the *genealogy* of *both families*.

Letter 161. He asserts, that a man, who promises *marriage* to a woman, and afterwards *marries* another, ought to be divorced, and to return to his first * *engagement*.

* See this, the *ecclesiastical law of England*, vol. i. p. 30, 1st edit.—p. 31. 2d edit.

Letter

Letter 167. He writes to the *bishop* of *Mans*, to hinder the marriage of one who had already engaged himself to another woman.

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Letter 174. He assures *Matbilda*, Queen of *England*, that he will pray for the soul of her brother (*Edgar*, King of *Scotland*, who died without issue anno 1107;) for though he doubts not but his soul is in *Abraham's bosom*, yet, since we cannot be certain of the state of souls in the other world, it is a piece of commendable devotion to pray even for those in *heaven*, that their *happiness may be augmented*, and for those in *purgatory*, that their *sins may be forgiven* them.

Letter 187. He admonishes the *Countess* of *Chartres*, to leave troubling the *abbot* and *monks* of *Bonneval*, on account of the *murder* of *Hugh the black*. Qu? If *Hugh the black* had *murdered* the *abbot* and *monks*, whether this good *bishop* would have been so *merciful*?

Letter 202. He admonishes *Daimbert*, archbishop of *Sens*, to correct two scandalous abuses in his church; one, of the *chaunter's* holding another preferment, contrary to his oath; the other, in one of the *chapter's* keeping in his house *two women of ill fame*.

Letter 205. Is written to a *knight*, who suspected his wife to be *with child* by *another*, because he had been absent from her

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her *seven days* longer than is usual, between the times of *conception* and *bringing forth*, and because the person, whom he suspected of being too familiar with her, had been *burnt* in passing the trial of *ordeal*. As to the computation of time, *Ivo* tells him, *that* ought not to sway him, since many women go much longer with child; and for the trial by *fire*, no heed is to be given to it: so that these two reasons prove nothing against the *honesty* of his wife; whose *oath*, and the good word of her neighbours and acquaintance, ought fully to suffice in *vindication* of her.

Letter 218. He writes to *Gualon*, bishop of *Paris*, that the *canon* of that church, who had lately been *married*, ought to lose his preferment, and be *degraded* from being a *clergyman*, but that his *marriage* must remain *good* and *valid*.

Letter 221. To *John*, bishop of *Orleans*, concerning a *freeman's* having married a *slave*, without knowing her to be so. *Ivo* says, that by the *civil* law, the marriage is *void*, and he may quit her, and marry another woman; but that, by the laws of * God and *nature*, they ought to keep together, or at least, if he *put her away*, he may not *marry* again.

Letter 222. To the clergy of *Autun*, he enquires, if a woman, who has been

* Qu? When the *civil* law contradicts the laws of God and *nature*, which is to be followed?

guilty

guilty of *adultery*, must necessarily be *divorced* from her husband? and concludes, that, in strictness, she *ought*; but by the *wisdom* of the *gospel*, such a temper was prescribed as may reconcile her to her husband.

Letter 242. To *Owen*, bishop of *Eureux*, he explains himself concerning his having given his opinion that a freeman, who had married a slave, without knowing her to be such, ought to be *divorced* from her; and adds, that this is not dissolving a *lawful* marriage, but only declaring that it is unlawful for them to live together any longer, their marriage being *null* by *law*—*i. e.* the *civil* law. See before, p. 144.

Letter 145. To *Hugh*, earl of *Troyes*, who having listed himself for the *holy* land, designed to *put away* his *wife*, and live in *celibacy*—he *commends* his resolution.

Letter 246. He declares, that it is not allowable for a man to marry *two sisters* successively, though the marriage with the former was never *consummated*.

Letter 162. To *Pontius*, abbot of *Cluny*, he shews him the reason, why, in the consecration of the *cup*, at the *Lord's supper*, the words "*mystery of faith*" are added, which were not used by OUR SAVIOUR, at the institution of the *sacrament*; and says, that this is done, because we judge of the *greatness* of the *mystery* contained in it, not by the *senses*, but by *faith*.

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N. B. To believe what contradicts the *senses*, is not *faith*, but *folly*.—See *Locke*, *Hum. Und. b. iv. c. 18.*

The Contents of the XVII. parts of the
DECRETAL.

VII. Is of the retirement and single lives of *monks* and *nuns*, and of the penance to be undergone for the breach of the *vow* of *continency*.

XV. Of *penances*, and *commutations* of *penances*.—N. B. See *Thelyph. App. to chap. X.*

Pope PASCHAL II.

Held a second *Lateran council*, in the which he made an oration to the *bishops* there assembled, *anno 1116*, on the *infalibility* of the church, and to prove that it had never been guilty of *heresy*, nor, as it should seem, ever could.—It is for *this church*, said he, that the *Son of God* prayed, just before His *passion*, when he said—*Peter, I have prayed for thee, that thy faith fail not.*—N. B. It is to be remarked, that these people seldom quote scripture, but, as the *Devil* did, to abuse it.

Council of RHEIMS, *anno 1119.*

Here Pope *Calixtus II.* published *five* canons.

Can. 5. Against the *priests*, *deacons*, and *sub-deacons*, who had *wives* or *concubines*.

LATERAN

LATERAN Council, anno 1123.

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Can. 3. Renews the prohibitions made by the *laws of the church*, against *clerks* having *wives* or *concubines*, or to live with *women*; excepting such as are exempted by the council of *Nice*.

Can. 5. Renews the prohibition of marriage among *relations*.

Can. 21. Does again prohibit the *marriages* of the *clergy*, and declares the *marriages* which they have contracted *null*. This is the *canon* (says *Du Pin*) which expressly pronounces the *nullity* of the marriages of such persons as are in *holy orders*.

The *Pope* wrote to the clergy of *Terrouane*, that they ought not *suffer* any *married* clergy among them.

ST. BERNARD.

William, Duke of *Guienne*, having quarrelled with the bishop of *Poictiers*, refused to be reconciled to him: to surmount his obstinacy, *Saint Bernard* took the *blessed sacrament*, and carrying it to the place where the *duke* was, conjured him in the name of *Jesus*, and with such *terrible words*, that the *frightened duke* fell flat upon the ground, and was forced to be reconciled to the bishop of *Poictiers*. Among other things, *St. Bernard* assured the *duke*, that the *son of God* was come in

CENT. XII. *person** to him. This saint was a great *hero* in *monkery*, and at his death left behind him near 160 *monasteries* of his order, founded by him.

Pope EUGENIUS III.

Writes to *Hildegarda*, abbess of *Mont St. Rupert*, commending her *spirit* of *prophecy*, advising her to preserve, by her *humility*, God's grace granted unto her, and always to make use of *prudence*, in the *unfolding* of those *mysteries* which God had revealed to her.

In this *century* various sects of *heretics* arose, some of which maintained, that "the *forbidden fruit* was *Adam's* carnal knowledge of *Eve*," and that "no person could be *saved* in a married state." These called themselves *Cathari*, or *Puritans*. Absurd and unscriptural as these *heresies* were, yet they were as defensible as *Jerome's*—*Coitus præmium mors*—the *celibacy* of the *clergy*—and *monkery*. The only very material difference between the *Catharists* and their *opposers*, seems to have been, that the latter had the *authority* of the church to maintain their *errors*, while the former were unprotected by *priestly* power in *theirs*. Thus—

*Little villains must submit to fate,
That great ones may enjoy the world in state.*

GARTH.

* Is it possible, that, when *St. Bernard* told this *swinger*, he could believe it himself?

Peter

Peter ABELARD.

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The history of this unfortunate man is well known. I will only observe, that all the miseries he underwent, were wholly occasioned by the enormous and wicked institution of clerical *celibacy*. His story is told at large in *Du Pin*, Cent. 12. chap. 7.

One of the *errors* imputed to this *father*, is, that he maintained, the *bread* and *wine* at the *altar*, to remain *the same* in *substance* after *consecration*, as before it.

Pope ALEXANDER III.

Letter 23. Inveighs against *clandestine* marriages, that were contracted without the *benediction* of a *priest*. See *Thelyph.* vol. ii. 149—156, 1st edit. — p. 141—149, 2d edit.

HILDEBERT Bishop of MANS. Afterwards *Archbishop* of TOURS.

Letter 7. He determines that a *virgin*, betrothed before she was *marriageable*, whose husband died without knowing her carnally, cannot marry the *brother* of her former *husband*, because *marriage* does not consist in *car-nal copulation*, but in the *consent* of the *parties*.

Letter 34. He declares, that he refused to approve the intended marriage of a *count*, with one of his *kinswomen*; although it might put an end to a war, which was carried on between him and his future *father-in-law*.

Letter 51. Is a large refutation of a person, who revived the *error* of *Vigilantius*,

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viz. "That the *invocation of saints* was un-
" *profitable*, because they do not hear our
" prayers, and have no knowledge of trans-
" actions on earth."—This man gave out,
that *Hildebert* was of his mind; which ob-
liged him, not only to disown that opinion,
but also to *shew*, by the *testimony of the fa-
thers*, that the *saints* hear our *prayers*, and
that they make *intercession* for us with God.

ERNULPHUS, Bishop of ROCHESTER,

Wrote to *Waquelin*, bishop of *Windfor*, in
answer to a question, which that *bishop* pro-
posed to him in a conference at *Canter-
bury*, viz. "Whether a woman, commit-
" ting *adultery* with her husband's son
" by a former wife, ought to be *divorced*
" from her husband?" He maintained the
affirmative; the *bishop*, to whom he wrote,
the *negative*. In this treatise, he *shews*,
that all the passages of scripture in which
'tis forbidden to *part man and wife*, ought
only to be understood of a voluntary sepa-
ration, between persons who are not guilty
of *adultery*; and afterwards confirms his
opinion, by making it appear, that the *bi-
shops*, to prevent disorders, have often con-
demned *adulterers*, to abstain for ever from
the use of *marriage*; that it is the *usual*
custom of the church; that *this punishment* is
ordained in the *penitential books*; and that a
divorce is justly allowed on account of *spi-
ritual alliance* (as being *god-fathers* and *god-
mothers*,

mothers, either at baptism or confirmation, and the like) although it be not expressed in scripture as *adultery*. He adds, that 'tis not unjust, that a husband should be divorced from his wife, although he be innocent of the crime committed by her; and that there are *many other causes*, for which a husband is obliged to *put away his wife*.

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PETER of BLOIS, Archdeacon of BATH.

Letter 83. Advises the *bishop* of *Exeter* to declare the *marriage null*, that was contracted between *Robert* and *Ismenia* his *kinswoman*; according to the *express order* he had received from the *Pope*.

HUGH Archbishop of ROAN, anno 1130,

Wrote a discourse on the dignity of the *clergy*—of the manners of *clerks*—of the *celibacy* which they are obliged to observe—of the *vow* of *chastity*.

PETER LOMBARD,

Called *master of the sentences*. He was esteemed the chief of all the *school-divines*, and his writings were in greater repute than the *Bible*. (See *Mosheim*, edit. *MacLaine*, vol. i. p. 600. n.) This man found out that there were *seven sacraments* under the *new law*, of which *marriage* is one. He wrote a book on the *holy sacraments*, in which he treats of the *antiquity* of the *sacrament of marriage*—He enquires of what marriage

L 4

consists—

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consists—distinguishes a promise of *future marriage*, from marriage contracted by the *present consent* of the *parties*—gives an account of the *conditions* that ought to be annexed to such a *consent* as is *necessary* for *consummation of marriage*—explains the advantages of marriage, which are, *fidelity*, the *lawful* procreation of children, and the *benefit* of the *sacrament*:—he discourses of matters relative to the continency of married persons at certain times—relates divers considerations of the *fathers*, with respect to the *polygamy* of the *patriarchs*:—he treats of the *impediments*, that render persons incapable of contracting marriage, and which make their marriage *void* and of *none effect*. See *Thelyph.* vol. ii. 147, 1st edit.—p. 139, 2d edit.

He shews that a man may be divorced from his wife for *adultery*, and that they may be afterwards reconciled—that he who has committed *adultery* with a woman, may marry her after her husband's death, provided he were not accessory to his death, and did not promise to marry the wife in his life-time.—He treats of the impediment which arises from the difference of age and condition between the parties contracting.

He discourses of the injunction of *celibacy* observed by *bishops*, *priests*, *deacons*, and *sub-deacons*, and of Pope *Calixtus*' ordinance, declaring such marriages *null*.

This great *Doctor* taught, that, if the first man had not *sinned*, those who are now *damned*, would not have been brought forth into the world; and that *St. Benedict* had as clear a knowledge of God in *this world*, as the *blessed spirits* have in *heaven*.

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“ The *book of sentences*, which rendered
“ the name of *Peter Lombard* so illustrious,
“ was a compilation of *sentences*, and pas-
“ sages, drawn from the *fathers*, whose
“ manifold *contradictions*, this eminent pre-
“ late endeavoured to *reconcile*. This *work*
“ was the *wonder* of the 12th *Century*, and
“ is little more than an object of *contempt* in
“ ours.” *Mosheim*, *Macl.* vol. i. p. 598. n.

Council of LONDON, anno 1125.

Clerks are prohibited to cohabit with strange women.—Marriages are prohibited between relations to the *seventh* degree.

Council of CASSEL, in IRELAND, 1172.

Can. 1. All the *faithful* in *Ireland*, shall be obliged, not to intermarry with their near relations, but to contract *lawful* marriages.

Council of AVRANCHES, 1172.

Can. 10. Forbids an husband to turn *monk*, whilst his wife remains in a *secular* state, unless both are too *old* to have *children*—the same with respect to the *wife*.

Can. 13.

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Can. 13. Relates to *perquisites* claimed for the *benedictions* of marriages.

N. B. After marriage was determined to be a *sacrament*, the *church* was at no small trouble, how to reconcile the taking *money* for the *administration* of it. However, Stephen Langton, *archbishop* of Canterbury, Cent. XIII. made the matter easy by the following *injunction*.

“ We do firmly injoin, that no sacrament of the *church* shall be denied to any one, upon the account of any sum of money, nor shall matrimony be hindered therefore: because, if any thing hath been accustomed to be given by the *pious devotion of the faithful*, we will that *justice* be done thereupon to the *churches* by the *ordinary* of the place afterwards.”
See Burn’s Eccl. Law, tit. Marriage.

Council of LONDON, anno 1175.

Can. 1. They who have entered into *holy orders*, and keep a *concubine*, whom they refuse to expel, shall be deprived of *office* and *benefice*.

Clerks below a *sub-deacon*, and are married, shall not be divorced from their wives, but shall no longer enjoy their *spiritual livings*.

Sub-deacons, and those in *superior orders*, who contract marriage, shall be compelled to part with their wives. The sons of *priests* shall

shall be incapable to succeed their *fathers*,
in the churches possessed by them. CENT.
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Can. 18. *Clandestine marriages* are *forbidden*.

Can. 19. Prohibits marrying children that are not come to age of *maturity*, unless in case of *necessity*, or for promoting *peace*.

SYNOD of YORK, anno 1195.

Can. 4. More than *three* persons shall not be required to stand as *sureties* at the *baptismal font*, viz. *Two god-fathers* and one *god-mother* for a *boy*; or *two god-mothers* and one *god-father* for a *girl*.

N. B. The *rubric* of the *Protestant church of England*, confirmed by *act of parliament*, has adopted this *wise* regulation.

Can. 12. Renews the prohibitions so often made, that *clergymen* should keep *unchaste* correspondence with *women*, and regulates the manner of trying those who are accused of that *crime*.

Second General Council of LATERAN,
1139.

Can. 6. *Sub-deacons*, or those in *higher orders*, if they *marry*, or keep *concubines*, shall be deprived of their *offices* and *benefices*.

Can. 7. Prohibits hearing *masses* of *priests* who are *married*, or keep *concubines*—declares the *marriage* of *priests* to be *null*;
and

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and ordains that those who have *contracted* it, shall be *divorced* and put to *penance*.

Can. 8. Regulates the same things, with respect to *virgins* consecrated to God, if they *marry*.

Can. 17. Re-enforces the laws against *marrying relations*.

Third General Council of LATERAN,
anno 1179.

Can. 7. Condemns abuses, which passed into a custom, of exacting *money* for the *benediction* of *marriages*.

Can. 11. Renews the prohibition, *so often reiterated*, with respect to the *clergy* accompanying with *women*; condemns *sodomites* to very severe punishments; and forbids ecclesiastical persons to frequent the monasteries of *nuns*, unless upon some *emergent* occasion.

Ivo bishop of Chartres, on being asked, Whether it was lawful for a man to marry his *concubine*? answered — That some *laws* forbid it, *others* have *permitted* it; and leaves the whole matter to the discretion and judgment of the *bishops*.

C E N-

CENTURY XIII.

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Pope INNOCENT III.

In a letter to the bishop of *Marſſ*, he decides the following case, viz. A man married a woman, with whom he had before been *carnally* acquainted: after that, he married *another*, by whom he had had *children*. The *first* woman demands, either that he may *live* with her, or else that she may have leave to *marry another*. The Pope answers, "That if this man married the
" former by *verba de præsenti*, he then
" ought to return to her; but if *per verba*
" *de futuro*, they must then *both* have a *pe-*
" *nance* enjoined them, and the woman be
" at liberty to marry whom she would."

N. B. By this time, the reader must be supposed to see, *how*, and by what *degrees*, *marriage*, and all that belonged to it, was taken out of God's hands, into the hands of *men*, and *how* the word of God began to be of no avail in the matter.—But to proceed.

Letter 45. He determines that *women* may come into the *church*, in a short time after their *lying-in*; but yet, if they think to *stay away* out of *respect*, their devotion is not to be *condemned*.

Letter 92. Is against the *incestuous* marriage of the *king of Castile's* daughter, with
the

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the king of *Leon*. He charges Cardinal *Rainier* to *excommunicate* them if they did not *part*.

Letter 102. He tells the chapter of *Spoletto*, that the marriage of a man, with a *concubine*, which he kept while his *wife* was *alive*, is *valid*; except it could be proved, that *one* of them had a hand in her death.

Letter 326. He gave leave to the *bishop* of *Faience* to remove to the bishopric of *Pavia*. There are very *pretty* things in this *letter* (says *Du Pin*) about the *spiritual* marriage of a *bishop* with the *church* his *spouse*. What is said in scripture of the *indissolubility* of a *carnal marriage*, he presumes may be as *well* applied to the *spiritual*. He adds, that it should seem, then, as if it were not in the power of the *Pope* to *break* the *spiritual marriage* of a *bishop* with his *church*:—and yet CUSTOM, which is the INTERPRETER OF THE LAWS, and the HOLY CANONS, always gave full power to the *holy see*, to which *alone* belong the *placing*, the *deposing*, the *translating* of *bishops*: wherein, he saith, the *Popes* do not exercise *human* authority, but that of JESUS CHRIST, whose *vicars* they are. Lastly, he declares that he consents to this *translation*, *merely* for the *good* which would ensue to the church of *Pavia*.

Letter 362. He decides the case of a man who was accused of *adultery* by his *wife*, thus; that judgment could not be given upon

upon an information that was made *lite non contestata*; and all that could be done, was to *excommunicate* the man for *refusing* to make his *appearance*.

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N. B. We may observe whence *ecclesiastical* courts took cognizance of *matrimonial* causes, and whence the dreadful engine of *excommunication* proceeded, for *contempts* of their *usurped* authority.

Letter 380. He declared a marriage *null*, because the *woman* had, *before* they were *married*, been *god-mother* to a natural son, which the man had by *another* woman.

Letters 28, 29, 30. Are about a *crooked* man, that had married a *widow*, being chosen *bishop* of *Cambray*. — He declares the election *null*.

Letter 455. A religious *vow*, made before the year of *probation*, is *valid*. That the *vow* of a *married* person ought not to be accepted, except *she* likewise, to whom he is *married*, makes a *vow* of *perpetual continence*.

Letter 458. He confirms the sentence given in favour of the church of *St. Paul*, about the *privilege* of having a *font*, and *baptizing*; which was disputed by the church of *St. Mary* of *Cervaro*, near *Monte-Cassino*.

Letter 514. Determines, that the marriage of *infidels* with such as were *akin* to them, could not be dissolved when they turned *Christians*.

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Letter 50, Book 2. Though the marriage between *infidels* be *dissolved*, when one of them is converted to the faith, yet it is not the same thing of those who were married while they were *believers*, when one of them becomes an *heretic* or *Pagan*.

Letter 66. He determined, that not only those, who have contracted *two valid* marriages, are to be accounted *bigamous*, but those too who have contracted such as were *nulled*; because, that although they were not in *facto bigamists*, for want of the SACRAMENT, yet the intention of being so was the same; and there was a *fault* committed besides, therefore he would not have a *dispensation* granted to *such*, as there is to *other bigamous* persons.

Letter 178. From the *archbishop* of *Dioclia* and *Antivari* to the *Pope*; in which he presents him with the orders made by the *legates* of the *holy see*, about the celibacy of the *clergy*—the *degrees* of *affinity* within which it is not allowable to *marry*—Lastly—A prohibition from putting the *children* of *priests*, or *bastards*, into *holy orders*.

Letter 229. *Clergymen* not to be allowed to have any *women* live with them, except they be of their *kindred*.

Letter 232. He declared, that a woman, who had taken upon her a *vow* of *chastity*, to avoid being *married*, but upon condition of tarrying in her own house, and had afterwards *married* a man, by whom she had *children*,

children, ought to take her religious habit again, and observe her vow.

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Letter 261. To the bishop of *Rossano*, in which he answers divers questions.

1. That the *kindred* of a *woman* might marry the *kindred* of her *husband*. 2. That although *husband* and *wife* are *god-father* and *god-mother* to a child, yet they do not thereby contract any such *compaternity*, as can hinder them from *living* as *man* and *wife*. 3. The *Latin* priests might neither have *wives* nor *concubines*. Lastly—that the chaplains of *Rossano* had nothing to do with the *validity* or *invalidity* of *marriages*. —Qu? *Who* or *what*, but *God* and his *word*, have any thing to do either with the *one* or the *other*?

Letter 7, Book 5. He determined, that the *son* of a *god-father* could not marry the *daughter* of the *god-mother* to the *same* child, although he was born before they baptized the child. That if *these* two persons had married, they ought to be *parted*; and that *whosoever* knew of any *such* thing they ought to discover it.

Letter 48. To the *archbishop* of *Rheims*, about the design of *Philip* King of *France* to get himself *separated* from his *wife*. He wrote also to that *prince* upon the subject: he talks with him about his complaining of harder usage than other *princes* had met with on the like occasion, seeing that *King Lewis* his father, the *Emperor Frederic*,

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and, very lately, * *John King of England* had been *separated* from their *wives*, by the judgment of their *prelates* and *estates*, which the *holy see* had, without any *scruple*, confirmed. The *Pope* answers — “ They
“ were his *legates* who *separated* the Em-
“ peror *Frederic*; and that King *Lewis*, and
“ the *King of England*, were *parted* by
“ their *prelates*, but that was because
“ there had been no complaint made to
“ the *holy see*; which was the very reason
“ why the judgment was not *revoked*,
“ because no body protested against it:
“ but the matter now in hand had been
“ laid before the *holy see*; Pope *Celestin* had
“ revoked the sentence of *divorce*, and had
“ sent his *legates* into *France*, who per-
“ haps might have put an end to the
“ affair, if he had not eluded their judg-
“ ment: that it was in the *power* of the
“ *holy see*, not only to *annul* the sentence,
“ but likewise to use censures against those
“ that had given it: as Pope *Nicholas* had
“ done against *Gontierus* archbishop of *Co-*
“ *logn*, and *Tetgaudus* archbishop of *Treves*,
“ for having divorced King *Lotharius* of
“ *Tetberge*.”

Letter 128. Is to *William Earl of Mon-*
pellier, who had, by the *archbishop* of *Arles*,
desired the *Pope* to legitimate his children.
Innocent proves first of all, that the legiti-

* See Rapin, vol. i. p. 262. fol. edit.

mation of the *holy see* is *valid*, not only in what concerns the *spirituals* but the *temporals* too: and, because this *Earl* alledges the example of the *King of France's* children, which *Philip* had by a wife which he took after having left *Issemburga*, to obtain the same favour for those whom he had by a wife that was married in the *same manner*, *Innocent* tells him, there is a great deal of difference. 1. Because the *King of France* by his lawful wife had a son who was presumptive *heir* of the crown—whereas he had no son by his lawful wife. 2. Because the *King of France* had no more from the *holy see* than what concerned the *spirituals*—whereas he desired it both for *spirituals* and *temporals*. 3. Because the *King* had not left his wife till divorced by the *archbishop* of *Rheims*, and had these lawful issue by the *other wife*, before the *holy see* had forbidden him to live with her—whereas he had observed no form nor law in the matter. 4. Because the *King*, acknowledging no superior in *temporals*, had submitted himself to the *holy see* in this case, though perhaps he could have given himself this dispensation as to *temporals*;—but as for him (the *Earl*) who depended upon other *sovereigns*, this dispensation could not be granted him, without incroaching upon their right, and he could not grant it to himself.

About the end, he begins to establish the
M 2 power,

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power, which he had, not only over the temporality of *St. Peter's* patrimony, but over that of other states.

“ This audacious prelate *had the honour*
 “ of introducing and establishing the use
 “ of the term *transubstantiation*, which was
 “ hitherto absolutely unknown. He also
 “ placed, by his *own* authority, among the
 “ *divine laws*, that of *auricular confession*
 “ *to a priest*.” *Mosheim. Macl. vol. i.*
 p. 683.

“ About the conclusion of this century
 “ Boniface VIII. added to the public rites
 “ and ceremonies of the *church*, the famous
 “ *jubilee*, still celebrated at *Rome*, at a stated
 “ period, with the utmost profusion of
 “ pomp and magnificence.” *Mosb. ib.*

Pope INNOCENT IV. *anno* 1243.

Letter 10. To his legate in *Cyprus*, determines, that *married* priests, having the care of souls, ought not to be hindered from taking the confessions of penitents, to enjoin penances, and to act in their name.— That *fornication soluti cum soluta* was a *deadly sin*—(Qu? If his *holiness* meant any thing more by *fornication*, than the act of those who came together without the *sacrament* of marriage, as it was now called?) — that the *Greeks* ought not to condemn all *third* and *fourth* marriages—that the priests should not give their blessing upon *second* marriages—that they should not *marry*, so as they did,

did, within the *fourth* degree—that those *Greeks* who acknowledged that the souls of those who died, not wholly *cleansed*, might exist after death, and be *eased* by the *prayers* of the *living*, were obliged to call the place where they are—PURGATORY.

GREGORY the TENTH, anno 1271.

Among his other *letters*, there is one to the bishop of *Liege*, who was *deposed*, in the council of *Lyons*, for his *incontinency*.

MANUEL CHARITOPULA Patriarch of
CONSTANTINOPLE.

Institut. 1. Women, forsaken by their husbands, of whom they have heard no news for *five* years together, may afterwards *marry*.

The bishop of *Pella* asks, what *penance* ought to be inflicted on *priests*, by whose negligence it happens, that the consecrated bread is eaten by *rats*? and what ought to be done, when, the priest being at the *altar*, a *mouse* happens by chance to eat the consecrated host?

We may remember, that some time ago, a *father* of the *Latin* church declared against *Berenger*, that neither *mice* nor other *vermin* would *touch* it. See before p. 113.

Qu? 4. *Laics* above 40 years old, and that have been married *twice*, and have children, may not marry again.

Qu? 6. What punishment those *priests*
M 3 deserve,

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deserve, who celebrate marriages in *Lent*, and what one ought to think of such marriages? Ans. Those *priests* who did it out of ignorance and simplicity, ought to bear less punishment than if they did it *wilfully*; but *such* marriages are *valid*.

Council of PARIS, anno 1212.

Can. 4. Prohibits the *clergy* from having *women* in their houses.

Can. 21. Forbids *monks* to lie *two* in a *bed*. That the *nuns* lie *single*.

Can. 14. The *abbots* not to suffer *young women* to come into *monasteries*.

Can. 20. To extirpate that *crime* which is *odious* to name.

Can. 21. To punish that disorder severely, according to the *rule* made in the *Lateran* council.

Fourth LATERAN Council, anno 1215,
under INNOCENT III.

Can. 50. Repeals the prohibition of marriage in the second and third *degree* of *affinity*, and between children issuing from a *second* marriage and the relations of a *former* husband; and restrains the *degrees* wherein marriages were *unlawful*, to the *fourth* degree of *consanguinity*.

Can. 51. Prohibits *clandestine* marriages, and orders that the *priests* shall publish *banns* in *churches*, that so such impediments as are lawful may be objected against them.

Penalties

Penalties are also inflicted on those who countenance or authorize *incestuous* or *clandestine* marriages.

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N. B. By *incestuous*, are here meant, such marriages as are not within the *degrees* allowed by the *canons*. The *Bible* is out of the question.—N. B. The origin of *banns*.

Council of OXFORD, anno 1222.

Can. 19. Prohibits *rural deans* from taking *cognizance* of *matrimonial* causes.

Can. 42. *Advocates*, who shall dispute the *validity* of a *marriage*, which shall be declared good by the sentence of a *judge*, shall be suspended for a year.

Council of MENTZ, anno 1225.

Can. 1, 2, 3. Against clerks who keep *concubines*.

Can. 5. Declares legacies of church goods, by *clerks*, to their natural children, or *concubines*, null.

Council of CHATEAU GONTHIER,
anno 1231.

Can. 1. Prelates ought not to tolerate *clandestine* marriages, and to proceed without *delay* and without *excuse*, to the *divorcing* of those who had *contracted* them. Comp. Mat. xix. 6. and Stat. 26 Geo. II. c. 33.—the *marriage-act*.

Can. 34. Prohibits, under pain of *excommunication*, the *contracting* of marriage

M 4

till

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till after the *banns* have been published; that so an engagement to *marry* may be granted, and given in the face of the congregation.

Council of ARLES, anno 1234.

Can. 3. *Heretics* to be rooted out.

Can. 6. Condemned to perpetual imprisonment—those who will *recant*, to be delivered up to the *secular* power—every Sunday an *excommunication* shall be published against *heretics* and their *favourers*.

Council of L'ISLE en PROVENCE, anno 1251.

Can. the last. Against *clandestine* marriages.

Council of TOURS, anno 1236.

Can. 8. Declares those who contract *two marriages* at a time *infamous*, and to be *whipped*.

Council of LONDON, anno 1237.

Can. 1. Concerns the *dedication* of churches, and implies, that it derived its original from the *Old* and *New Testaments*, and has been observed by the *holy fathers* under the *New*. That it ought to be solemnized with greater dignity and care, since then they only offered sacrifices of *dead beasts*, whereas now they offer on the altar,

altar, by the hands of the *priest*, a living and true *sacrifice*, namely, the only *Son* of *GOD*; therefore the *fathers* have with reason ordered, that so sublime an office should be celebrated only in consecrated places, &c.

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N. B. How one *hve* begets another, and how they travel on from *generation* to *generation*!

Can. 15. To prevent some marriages, which some *clerks* contracted *clandestinely*, to save their benefices, declares the children born of such marriages incapable of holding benefices.

Can. 16. Renews the ecclesiastical statutes against *clerks* who keep *concubines*.

Can. 17. Prohibits children of *clerks* from possessing the benefices of their *fathers*.

Can. 23. Care shall be taken to place able *judges*, especially in *matrimonial causes*; and that the judges of *abbots* who are in possession, shall not pass a definitive sentence, 'till after they have consulted the *bishop* of the *diocese*.—Qu? Who placed *matrimonial* causes in the hands of *ecclesiastical* judges?

Council of COGNAC, anno 1238.

Can. 9. The *bishops* shall see that the sentences of *excommunication*, issued out by their *colleagues*, be *duly executed* in their *dioceses*.

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Can. 10. That none shall be commissioned to try *causes* of *matrimony*, but able and discreet persons.

Can. 11. Excommunicates *lay-judges*, who oblige *ecclesiastics* to plead before them.—*N. B.* How gloriously was the power of *churchmen* now increased!

Here we may see, whate'er we see beside,
The *laymen* bridled, and the *clergy* ride.

Council of SAUMUR, anno 1253.

Can. 11. Prohibits the admitting any *canon*, who is not born in *lawful wedlock*: i. e. according to the laws of the *church*.

Can. 27. Prohibits *clandestine marriages*.

Council of ALBY, anno 1254.

Can. 41. Prohibits *priests* from keeping *women* within the *inclosures* of the *church*.

Council of ARLES, anno 1260.

Can. 4. None shall contract marriage without leave of the *church*.—*Bravo!* This is *speaking out*.

Council of COGNAC, anno 1260.

Can. 5. Prohibits curates from marrying of *women* of *another parish*, without the *consent* of their *curate*.

Council

Council of BOURDEAUX, anno 1262.

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Can. 5. Those who shall contract *clandestine marriages*, both the *ministers* and *witnesses*, shall be *excommunicated*, and suspended *ab officio & beneficio*. Those *marriages* shall be reckoned *clandestine*, which are not contracted by the proper *curate* or *pastor* of the husband or the wife, with the consent of the other *curate*.

Council of LONDON, 1268.

Can. 3. Churches shall be *consecrated*.

Can. 14. Against those who obstruct the *celebration* of *matrimony*.

Can. 15. Relates to *wills* and *testaments*, and obliges the *executor* to renounce the right which he hath to plead in his jurisdiction.

Council of LANGEIS, anno 1276.

Can. 3. Against *clandestine marriages*.

Can. 4. Against *priests* keeping in their houses *children* born of their *concubines*, and from *bequeathing* any thing to them.

N. B. See 1 Tim. v. 8.

Council of BUDA, 1279.

Can. 26. Prohibits clerks from keeping in their houses the *children* which they have had whilst in *holy orders*, and declares those *children* to be the *vassals* of the church.

Can. 39. Reserves the cognizance of
matrimonial

CENT. XIII. *matrimonial causes* to prudent and discreet persons.

Can. 4. Prohibits *ecclesiastics* from keeping *concubines*.

Council of RAVENNA, anno 1286.

Can. 8. Against *clandestine marriages*.

Council of BOURGES, 1286.

Can. 2. Prohibits *clandestine marriages*.

Can. 3. Prohibits *ecclesiastical* judges from cognizance of *matrimonial causes* out of their *jurisdiction*.

Can. 24. Prohibits women inhabiting in the houses of *monks*.

SYNODAL CANONS OF PETER, Bishop of
EXETER,

Contain an instruction to his *clergy* about the SEVEN SACRAMENTS, and about the *celebration* of *marriage*—appeals—*questors*—the *relics* of saints—last *wills* and *testaments*—*excommunications*, &c. &c. *cum multis aliis, quæ nunc præscribere longum est.*

Council of L'ISLE in PROVENCE, anno
1288.

Can 14. Against those who give *poison* or *physic* to cause *abortion*.—Mark, reader, this horrid evil, and from whence it sprang; even from leaving the *laws* of God and *nature*, for the *doctrines* and *commandments* of men!

Council

Council of SALTZBURGH, anno 1291.

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Can. 1. It is ordered, that to remedy the abuse of *marriages clandestinely contracted*, there shall be *six* honest and creditable persons, of the neighbourhood or parish of the *contractors*, who shall be present, and serve as *witnesses* of the *marriage*.

The same *canon* issues forth the penalty of *excommunication, ipso facto*, against those who shall transgress this order, or shall be present at *clandestine marriages*, or shall *suffer* them to be contracted in their *houses*.

—N. B. What wicked pains did these *fellows* take to bring grist to their *mill*!

WALDENSES OF VAUDOIS, and ALBIGENSES.

Amidst all the darkness, superstition, and folly of *Popery*, GOD did not leave himself without witnesses of his truth. These poor people, though persecuted with all the malice and cruelty that *Hell* or *Rome* could invent, nobly stood in defence of GOD's word against the *Popish* encroachments. Their tenets were called *heresy*, and their persons *heretics*, because they opposed the *doctrines* of the scriptures to the *inventions* of men. —Among other things, they condemned the *ceremonies* used in the celebration of marriage, as having no foundation in the word of GOD—they taught—“ that the “ consent of a willing couple, without the “ formality

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“formality of *sacerdotal benediction*, made “a *lawful marriage*.”—They did not acknowledge the *spiritual* alliance [as between godfathers and godmothers] nor the impediments of *affinity* and *consanguinity* appointed by the *church*—no more than those of public order and *decency* [i. e. the throwing marriage into the hands of *priests*, and the *ceremonies* invented and used thereon] thus casting a blemish on the SACRAMENT of *marriage*. That women needed no *benediction* after their lying-in [this we call *churching* of women.] That the church was wrong in prohibiting the *clergy* from *marrying*.—They *invoked* no *saints*, but worshipped God alone—they despised the *canonizations*, *translations*, and *vigils* of the *saints*—they taught, that the doctrine of JESUS CHRIST and the *apostles* is sufficient to salvation, without being obliged to observe the *laws of the church*, and that the *tradition* of the church is the tradition of the *Pharisees*—that the church of *Rome* is not the *church* of CHRIST, but a *church* of *wicked men*; and that it has ceased from being the *church* of CHRIST ever since the time of *Pope Sylvester*—(*Du Pin* calls him *St. Sylvester*)—when the *poison of temporalities* entered into the *church*:—they denied *purgatory*, and *transubstantiation* by the hands of a priest.

These, and other as great *heresies*, did these excellent *reformers* teach. For which

an open war was carried on against them, under the general name of *Albigenses*, which, after the utmost exertions of cruelty, and of the most barbarous *massacres*, ended in their *destruction*.—See *Mosheim*, *Macl.* vol. i. p. 700. These might well be numbered among the champions for the word of God—*of whom the world was not worthy*. Heb. xi. 38. *Du Pin* ranks them among those *heretics*, who subverted the *fundamentals* of the *Christian religion*, by openly opposing the *authority*, the *sacraments*, the *ceremonies*, and the *discipline* of the church.

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THE INQUISITION.

It may perhaps lead me for a while from the immediate and particular subjects of this *book*, but I cannot help observing here, that, in this *century*, appeared that *monster* of all *monsters*, that most horrible, iniquitous, hellish *tribunal*, the *Court of Inquisition*, the most formidable engine of *church power* that ever was invented. It was generated between the *ecclesiastical courts*, and the *great whore*, mentioned Rev. xvii. 1. 5. xix. 2. and it may be truly said, that of all the *abominations* of which *she* has been the *mother*, this has been the most dangerous and destructive to the persons, lives, and properties of mankind; and stands as a melancholy proof of the ascendancy which *priestcraft* and *superstition* are capable of gaining over the human mind, when crea-
tures,

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tures, endowed with reason, could so lose all sense of *self-preservation*, as not to arise with *one consent*, and *strangle* it in its *birth*.

But the comparatively petty *tyranny* of *ecclesiastical* courts, which, from the days of *Constantine*, had been gradually subjugating the understandings of men, more and more, under the assumed and ungodly power of *churchmen*, had paved the way; and therefore we are told by *Du Pin*—Cent. xiii. p. 154. Eng. trans.—

“The *Pope* and the *Prelates*” (he might have added the *Devil*, and made it a sort of *triumvirate*) “perceiving that the *former*” [i. e. those *notorious heretics* the *Albigenses*] “contemned the *spiritual* power, and that “*excommunication*, and the other *ecclesiastical* penalties, were so far from *reducing* “them, that they rendered them the more “*insolent*, and put them upon *using violence*” [i. e. defending themselves when they were most inhumanly and unjustly attacked, and standing for their lives and properties] “were of opinion, that it was “lawful to make use of *force*, to see whether those who were not *reclaimed* out of “a sense to their *salvation*, might be so by “the *fear* of *punishments*, and even of *temporal death*.”

“There had already been several instances of *heretics* condemned to *fines*, “*banishments*, *punishments*, and even to “*death* itself; but there had never yet been “any

“ any war proclaimed against them, nor
 “ any *croisado* preached up for the *extir-*
 “ *pation* of them. *Innocent III.* was the
 “ *first* who proclaimed such a war against
 “ the *Albigenses* and *Waldenses*, and against
 “ *Raymond*, count of *Thoulouse*, their *pro-*
 “ *tektor*. War might subdue the *heads*,
 “ and reduce whole *bodies* of people; but
 “ it was not capable of altering the senti-
 “ ments of particular persons, or of hin-
 “ dering them from teaching their doc-
 “ trines *secretly*.

“ Whereupon the *Pope* thought it ad-
 “ viseable to set up a *tribunal* of such per-
 “ sons, whose *business* it should be to make
 “ *enquiry* after *heretics*, and to draw up
 “ their *processes*. For this purpose, he
 “ made choice of the *Dominican* and *Fran-*
 “ *ciscan* *fryars*, who were *newly* establish-
 “ ed; to whom he gave commission to
 “ make *exact* *enquiry* after *heretics*, and to
 “ draw up *informations* against them: and,
 “ from hence, this *tribunal* was called THE
 “ INQUISITION.

“ By degrees the authority of those *in-*
 “ *quisitors* increased; and whereas, at the
 “ first, they only drew up the process of
 “ *heretics*, and solicited the *ordinary* judges
 “ to condemn them, they afterwards had
 “ power granted them of trying the *crime*
 “ of *heresy* conjointly with the *bishops*.

“ The emperor *Frederic II.* approved
 “ of this *tribunal*, took the *inquisitors* into
 VOL. III. N “ his

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“ his *protection*, and attributed to the *ecclesiastics* the taking cognizance of the *crime of heresy*; leaving only to the *secular judges*, the power of inflicting the punishment of *death* on those who were *condemned*.

“ This *tribunal* of the INQUISITION was at first set up at *Tboulouse*, and in the other cities of *Languedoc*, where the *heresy* of the *Albigenses* and *Waldenses* had the *deepest rooting*. The *Popes* likewise set it up in *Italy*, from whence it passed, a long time after, into *Spain* and *Portugal*; but it was banished *France*, and could never be introduced into *Germany*.”

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C E N T U R Y XIV.

Council of COMPEIGNE, anno 1304.

Can. 1. *Excommunicate* persons, and such as have contracted *clandestine marriages*, with *all* persons that procured them, or were present at them, shall not be admitted to the divine service of the *church*, nor allowed *Christian burial*.

Council of PRESBURG, anno 1309.

Renews the decretal of Pope *Benedict XI.* against such *clergymen* as keep *concubines*, and deprives such as are beneficed, of a *fourth* part of their *benefice*, if they observe it not.

Council

Council of COLEN, anno 1310.

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Can. 9. Confirms the punishments on *clerks* that keep *concubines*.

Can. 10. Forbids that *clergymen* should do *public penance*.

Can. 22. None shall be present at *clandestine marriages*, but the banns of all *marriages* shall be *published*.

Council of RAVENNA, anno 1311.

Can. 19. That the banns of *marriages* shall be published, that the *curates* may know whether there be no impediments. *Marriages* shall not be *celebrated* from the first *Sunday* in *Advent*, till after the *octaves* of the *Epiphany*—from *Septuagesima Sunday*, till the *octaves* of *Easter*—from the day before the *Ascension*, to the *octaves* of *Pentecost*.

Council of NOGAROL, anno 1315.

Can. 2. Declares the children of such as have contributed to *lay taxes* upon the *clergy*, incapable of receiving *holy orders* to the *fourth generation*, and deprives their family of *Christian burial*.

Council of VALLADOLID, anno 1322.—

Of TOLEDO, anno 1323.

Can. 6. Forbids all *clergymen* to be present at the marriages of their *children* and *nephews*.

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Can. 7. Against *clergymen* who keep *concubines*.

Anno 1324. Can. 20. A *clergyman* shall not go out at night without a *candle*.

—N. B. This must be to prevent *deeds of darknefs*.

Council of SENLIS, *anno* 1326.

Can. 6. Forbids *clandestine marriages*.

Council of ALCALA, or COMPLUTUM,
anno 1326.

Can. 2. Against *clergymen* who keep *concubines openly*.

Council of NARBONNE, *anno* 1374.

Can. 22. Against *clandestine marriages*.

Council of PALENZA, *anno* 1388.

Can. 3. *Married clerks* to wear the clerical crown and tonsure, if they will enjoy the privileges of their *priesthood*.

Can. 7. Against *adulterers*, and such as keep *concubines publicly*.

ENGLAND.

Council at LONDON, *anno* 1328.

Can. 8. *Marriages* shall not be solemnized without the publication of *banns*.

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Council of LAMBETH, *anno* 1330.

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Can. 5. Priests shall not celebrate marriages, which are *clandestine*, or without *publication* of *banns*.

Council of YORK, *anno* 1367.

Can 9. Against clandestine marriages, and such as are without *publication* of *banns*. See *Thelyph.* vol. ii. p. 147, n. 2d edit.

LOLLARDS.

The sect of the *Lollards* spread throughout *Germany*, and had for their leader *Walter Lollard*, who began to disperse his errors about 1315. *Du Pin*'s charge against them consists of many particulars—among the rest—that they despised the *sacraments of the church* (i. e. five of *Peter Lombard*'s seven, of which one was marriage by priests) and derided her ceremonies and her constitutions—observed not the *fasts* of the church, nor its *abstinences*, and acknowledged not the *intercession* of saints. *Trithemius* says, that *Bohemia* and *Austria* were infected with them, that there were above 24,000 persons in *Germany* who held these errors, and that the greater part defended them with obstinacy, even unto death.

N. B. Error and heresy are two ecclesiastical scare-crows, and signify, usually, any thing which the ruling powers chuse to call by those names. These, with the

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word *schism*, have done special service in their day. See Index to *Thelyph.* vol. ii. tit. LOLLARDS.

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C E N T U R Y XV.

THOMAS WALDENSIS.

So called from being born at *Walden* in *Essex*. Studied at *Oxford*. Was chosen *confessor* to Henry V. King of *England*, with whom he went to *France*, and died at *Roan*, November 3, 1430.

This learned and famous Doctor stoutly opposed the errors of *Wickliffe*. He wrote a great book—intituled—“*A Doctrinale of the Antiquities of the Faith of the Catholic Church*,” against the *Wickliffites* and *Hussites*, divided into three tomes. In tom. 2. he lays down the doctrine of the church, about the (seven) sacraments—proves the real presence, and transubstantiation. On the sacrament of orders he proves—that the celibacy of the clergy is according to the spirit and genius of the holy scripture, and agreeable to the practice of the antient church.

On marriage.—He shews that this sacrament may subsist between persons that observe continence—that it ought to be contracted according to the forms prescribed by the church—and with the benediction of the priest; and distinguishes between marriages which are lawful and which are unlawful.

This

This book is said to be the *fountain* from whence many writers of controversy, since, have drawn their arguments against *heretics* of later times.

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ALPHONSUS TOSTATUS, Bishop of AVILA,

A most voluminous writer.—He left behind him *twenty-seven volumes folio*. He wrote a book against *Concubinary Priests*—A Treatise of *Five Laws*—of the Law of *Nature*—of the Law of *Moses*—of the Law of *Pagans*—of those of *Mahomet*—and of the * *Laws* of *Christians*.

He died *anno* 1454, aged 40 years, and was interred in the church of *Avila*, with this *epitaph*.

Hic stupor est mundi qui scibile discutit omne.

i. e.

Here is the wonder of the world, the discussor of all that is *knowable*.

ÆGIDIUS CARLERIUS, Dean of
CAMBRAY,

Wrote many learned *treatises*; among others—a Treatise on the perpetual *Virginity* of the *Virgin Mary*—against the *Opposers of Images*—of the *Celibacy* of *Ecclesiastics*—and of the *Ecclesiastical Hierarchy*.

* By this it should seem, that “the *laws* of *Christians*” were supposed to be as distinct from the “*law* of *Moses*,” as from the “*law* of *Mahomet*!” This is *audax* JAPETI *genus* with a witness!—See before, p. 68, n. After all, what were these “*laws* of *Christians*,” but the arbitrary impositions of *fathers*, *popes*, *councils*, &c. on the rest of mankind?

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Council of OXFORD, anno 1408.

Can. 4. Nothing shall be taught about the *sacraments*, but what is agreeable to the *doctrine of the church*.

This council, which was held under *Thomas Arundel*, archbishop of *Canterbury*, made thirteen regulations, to put a stop to the progress of *Wickliff's errors*.

Council of SALTZBURG, anno 1420.

Can. 6. Excludes *bastards* from the order of the *clergy*.

Council of COLLEN, anno 1423.

Can. 1. Against *concubinary clergymen*.

Can. 8. Concerns *public concubinaries*.

Council of PARIS, anno 1429.

John of Nanton, archbishop of *Sens*, forbade the *licences* dispensing with the *banns* of *matrimony* to be granted easily.—With us they are *easily granted* to all who can afford to *pay* for them.

N. B. There was a council held at *Bourges*, anno 1438, but as *Du Pin* does not mention it in its place, the reader will find it, as in *Du Pin*, under the next century, art. 1.

Council of ANGERS, anno 1448.

Can. 12. Forbids *clandestine marriages*.

Council of TOLEDO, anno 1473.

Can. 16. Forbids to *celebrate marriage*
at

at any other time than what is permitted by the *laws* of the *church*, and condemns those *clergy* to be fined, who give the *nuptial blessing* at the times forbidden. See canon 62 of the church of *England*.

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Can. 17. Against *clandestine marriages*.

Council of SENS, anno 1485.

The archbishop of *Sens* assembled a synod at *Sens*, wherein he confirmed the constitutions made in a synod held twenty-five years before, for the *celebration of marriages*.

One of the *errors* imputed to *Wickliff*, was, his saying, "that the causes of divorce, on account of *consanguinity* and *affinity*, as established by the *church*, are *human* constitutions, and groundless."

One *Lailier*, a licentiate in *theology* at *Paris*, was severely persecuted, for saying,
 " 1. You ought to keep the commands of God and His *apostles*; and, as to the commands of the *bishops*, they are no better than chaff, for they have destroyed the *church* by their *reveries*.
 " 2. Saying *St. Francis* was rather in *hell* than in *heaven*. 3. I am not bound to believe a man is a *saint* because he is canonized, since he is canonized for money, and none are canonized but those who give something for it. 4. If a priest marry clandestinely, and come to me

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“ me and confess it, I would not enjoin
 “ him *penance*. 5. The priests of the
 “ *eastern church* do not *sin* in marrying,
 “ and I believe that neither should we *sin*
 “ in the *western church*, if we should
 “ marry. 6. 400 years ago the *priests*
 “ were forbidden to marry, by a *Pope* or a
 “ *butterfly*—[D’un *pape* ou un *papillon*]—
 “ I don’t know whether he could do it.
 “ 7. I would give two *blancs* to him, that
 “ will produce any passage in *scripture*,
 “ whereby we are obliged to fast in
 “ *Lent*.”

The faculty condemned these propositions as *heretical, erroneous, schismatical, rash, &c.*; for which *Lailier* was *excommunicated*, and would probably have fared much *worse*, if the poor man had not been put into the hands of an *inquisitor* and a *bishop*, who frightened him into a recantation.

This *century* was disgraced with the burning of *Sir John Oldcastle*, *John Hufs*, *Jerome of Prague*, and other champions for the religion of the *Bible*, as *heretics*—hereby giving a deadly proof of the sad consequences to mankind, when the *ecclesiastical* and *secular* powers unite, for the maintenance of *error* and *superstition*, and of course to destroy those who dare to discover and oppose them.

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We are now coming to the most remarkable *period* in all the annals of *Europe*. In *Germany* LUTHER rises, sees the *papacy* disowned in *Saxony*, *Brandenburgh*, *Hesse*, *Pomerania*, the greatest part of the territories that belong to the house of *Lunenburg*, and most of the free cities. In *Sweden* and *Denmark* his doctrine is absolutely and quietly settled.

In *England*, HENRY VIII. takes away the *Pope's* power, pulls down *monasteries*, and scatters the sworn defenders of the *papal hierarchy*. His son *Edward VI.* builds upon his foundation, and goes on with that *reformation* which his father had begun. All this was first occasioned by the preaching of *Luther*, a private *monk*, whom his enemies would have *crushed* with an high hand, and despised till it was too late.

Having seen, during a long succession of ages, the church of *Rome* gradually rising into its plenitude of power—all matters relative to *marriage* taken into the hands of *men*, and regulated as they thought most conducive to the advancement of *ecclesiastical interest* and *authority*; insomuch that *God's word* was entirely abolished, as having any share in the *laws* which were made concerning it—one might

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might expect to find, that the *reformation* would have totally changed the *face* of things, in this respect—that *marriage* would have been restored to its *antient simplicity*, and, instead of being suffered to remain on that *papistical* plan, where *Popes, councils, and fathers* had placed it, and as our *reformers* found it, we should have seen the *Bible* made the only rule of *faith*, in this respect, as in others, perhaps of inferior consequence to the present and eternal interests of mankind.—Whether we have reason to complain of *disappointment*, will appear in the *sequel*.

Council of BOURGES, anno 1438.

Referred to by *Du Pin*, Cent. XVI. c. i.

Art. 20. Against such *clergymen* as kept *concubines publicly*. It deprives them of the profits of their benefices, and declares them incapable of being promoted to any honours, dignities, and benefices, without a DISPENSATION from their SUPERIORS; and if they relapse after such DISPENSATION, they shall be out of hope of ever having *another*.

It also orders how such *superiors* shall be proceeded against, who are not careful to punish them: and as to those who ought to be deposed by the *Pope*, the *provincial councils* or their *superiors* may inform

inform against them, or send informations to the *holy see*.

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It is declared, that a person who keeps *concubines publicly*, is not only he that is so declared by a sentence of *law*, or by his own confession made judicially, or by the notoriety of the fact, which cannot be concealed; but he that keeps a suspicious, or infamous woman in his house, and, being admonished by his *superior*, doth not put her away. The council also decrees the punishment of those *ecclesiastical* judges, who shall *commute* with those that keep *concubines*, or that suffer, or neglect to punish them. It enjoins *superiors* to force their *inferiors* to cast off their *concubines*, and forbids *secular judges*, yea, **KINGS THEMSELVES**, to hinder the proceedings of *ecclesiastical* judges against them. It also advises the *laity* to marry, and not live in *concubinage*.

N. B. *Concubinage* brought in no grist to the *Pope's mill*—for by *concubinage* we are to understand *cobabitation*, independently of *priestly* ceremony; which *cobabitation*, in process of time, grew into a *mortal sin*, though such *concubinary* parents, as they were called, might get their *marriage ratified*, and their *issue legitimated*, by a proper sum of money, and attending while a *priest* performed the *mass*, or *office of matrimony*. See *Reynold's Historical Essay*, p. 71. See *Thelyph.* vol. ii. 155—6, 1st edit.—p. 148, 2d edit.

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In short, the *ecclesiastical* powers had now got full possession of the ordinance of *marriage*; it was now numbered among the *sacraments*; its *nullity*, except administered according to the *rites* and *ceremonies* of the church, inculcated; and we find its “*essence* made to consist, in the “*contract* and in the *sacrament*, not in one “without the other. This was said to “be the opinion of *councils*, *fathers*, and “*divines*, and the most *judicious* of the *canonists*.” See *Du Pin*, cent. xvi. p. 143. Eng. Transf. fol.

From hence arose the doctrine—“*No priest no marriage*”—if no *marriage* no *obligation*—if no *obligation*, no *security* whatever to the *seduced*:—hence was derived that inundation of *whoredom* and *prostitution*, which *has been*, *is*, and *will be*, the *disgrace* and *curse* of this, and every other *Christian* country, where this *Popish lye* is adopted; which is so *bare-faced*, as not to *dare* to appeal to a single text of scripture for its defence and support.

On their part, the *lawyers* defined marriage to be “a *lawful* and perpetual union “of man and wife, in order to the pro- “creation of children, which includes a “partnership of life and goods.”

This definition looks fairly, but the *grass* which conceals the *snake* is in the word *lawful*; and on due examination we shall find, that the *civil* and *ecclesiastical* laws,

laws, which, from the days of *Constantine*, were entering into an *alliance* for the support of *church power*, against the natural rights and liberties of mankind, both agreed to define that to be *lawful*, which was made so by the legislative contrivances of *human power* and *policy*.

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What is *lawful* according to the scripture, and in God's sight, would have been a dangerous question to their whole *system*, and must have laid their *Popes*, *councils*, *divines*, *canonists*, and *casuists*, under the most unfurmountable difficulties to maintain their *plan*. They seem to have feared and dreaded the testimony of the *pure* scripture, as a *thief* would dread the *testimony* of a *witness* that could *hang* him.—They seldom mention that of the holy scripture, but they couple it with *tradition* and the fathers; which *two last* they introduce, as the people in *Bengal* are said to introduce their *interpreters* before the *European* judges, in order to mislead them by false interpretations of what the witnesses depose.

As for this country—we cannot easily forget can. 4. of the *council* of *Oxford*, anno 1408, by which it was decreed, that “nothing shall be taught about the *sacraments*, but what is *agrecable* to the *doctrine of the church*.” Here was a stop put to all enquiry upon the subject, on the footing of *divine revelation*; and thus
the

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the *man of sin* placed himself in the temple of GOD, exalting himself above all that is called GOD, or worshipped. See 2 Thess. ii. 4.

MARTIN LUTHER.

At length, *Martin Luther* arose—He opened his *Bible*—by the light of this, he enabled *numbers* to see, as he did himself, the monstrous iniquity, that, for so many ages, had been deceiving the *Christian* world. He had, at first, in a manner, *all the world* against him, and he was persecuted with all the malice that could be poured out upon him. He was an instrument, every way fitted for the work he had to do—vehemence of temper—unshaken courage—invincible resolution—were in his composition—these, with *truth* on his side, proved too hard for all the efforts of, what was then called *legal authority*;—the *Pope*—the *Emperor*, with other *kings* and *princes* of the earth, in vain opposed; he fairly set them at defiance, and, in the face of *difficulty*, *danger*, and, as it were, of *death* itself, was the great instrument, in the hands of Providence, to break off the yoke of *papal* power, and to loose the bands of *ignorance*, *error*, and *superstition*, from the necks of many countries.

He was wonderfully preserved, from the time when he published his first thesis against *indulgences* at *Wittemberg*, anno

1517, 'till his *death*, which happened at *Isleben*, anno 1546, a space of 29 years. CENT.
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It would be beside my present purpose, to enter farther into *Luther's* history, than is necessary to elucidate the subjects of this book; but we may learn this useful lesson from it—that *intrepidity* in the cause of *truth*, however offensive to *them that live in error*, and to those who chuse their own *delusion to believe a lye* (see 2 Pet. ii. 18. and 2 Theff. ii. 11.) is not to despair of meeting with success in the end.

Three of *Luther's* noble and scriptural positions, with respect to *marriage*, which were censured by the divines at *Paris*, held at the *Mathurins*, anno 1521, were as follow:

“ 1. That * *matrimony* is not a *sacrament* of
“ *CHRIST's* institution, but invented by
“ *men.*” “ 2. That the union between
“ the *man* and *woman* ought to hold, al-
“ though it be made contrary to *human*
“ *laws.*” “ 3. That the priests ought to
“ approve all marriages contracted against
“ the *ecclesiastical* laws, with which the
“ *Popes* can dispense, except the *mar-*
“ *riages* of those that are expressly for-
“ bidden in scripture.”

All the *doctors* in the assembly determined *Luther's* doctrine “ to be proper

* Meaning, doubtless, that execrable *farce*, which the *priests* had been acting since the days of *INNOCENT III.* and which was now called—“ THE FORM
“ OF THE SACRAMENT.”

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“ only to *deceive simple people*—injurious
 “ to all the *doctors*—derogatory from the
 “ *power* of the *church*, and *bierarchical*
 “ order—openly schismatical—contrary
 “ to the scripture, whose sense it cor-
 “ rupts—blasphemous against the *Holy*
 “ *Spirit*—pernicious to the *Christian* com-
 “ monwealth—and so it ought to be sup-
 “ pressed, the writings which contain it
 “ to be burnt, and the *author* forced, by
 “ all *lawful* means, to recant—for that
 “ *all his doctrine* contained detestable *errors*
 “ both in *faith* and *manners*.”

Never was man who experienced more *abuse* than *M. Luther*.—The *Popish* rulers saw, very plainly, that the *doctrines* which he had set forth in his *writings*, were too well founded on the authority of the scripture, to be shaken by fair and plain argument. They therefore essayed two modes of refutation, which, backed by the credit they themselves were in with the ignorant vulgar, they imagined would answer the purpose which they despaired of from fair argument.

One of these was, devising scandalous and opprobrious terms for the *writings* themselves, which implied great mischiefs to the *church* from the consequences of *Luther's* “ damnable and antichristian “ errors,” as they called the *doctrines* which he set forth.

The other was, raking together all the personal

personal scandal they could, in order to vilify and blacken the author in the estimation of mankind, and thus shake the credit of his *writings* in the public opinion.—In what manner this is set forth in the canon of *St. Victor*, may be seen in the *Gen. Dict. Hist. & Crit. Art.* LUTHER. See before vol. ii. 164, n. 1st edit. —154, n. 2d edit.

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However powerful such methods as these may prove, in vulgar, weak, low, ignorant, and malicious minds, yet what do they amount to in the eyes of dispassionate, moderate, and considerate men? *These* will always reflect, that the merit or demerit of any writing, is to be demonstrated by *itself*, and to be gathered by a sober, attentive, unprejudiced, and deliberate perusal of it; not from this or that *epithet*, which malice, prejudice, and ignorance may have bestowed upon it; this, perhaps, from mere report of those who have never read a line of the book in question, and who owe, very probably, their opinions to the reports of others as ignorant as themselves.

The meanest, and lowest, and most wicked of all, is, the *second* experiment, which was tried on *Luther's* personal character. This doubtless had its effect with many empty and ignorant professors, who had not recollection enough to make them reflect on its total *inconclusiveness*, with respect to the *truth* or *falsehood* of the doctrines

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which *Luther* had advanced. His attack on the villainous traffic of *indulgences*—on the doctrine of *purgatory*—the worship of the *Virgin Mary* and the *saints*—the merit of *works*—the papistical schemes of *celibacy* and *matrimony*—&c.—had little to do with all they could say against *Luther* himself. The truth or falshood of what he said, did not in the least depend on the *man*, but on the *word of God*, on which he rested the whole evidence of what he published.

Luther full well knew the truth of these observations in his own mind, and therefore all that was said against *him* and his *writings*, was treated with deserved contempt.

He still had a friend in the *Electör* of *Saxony*; who, foreseeing that the *Emperor* was about to make a bloody edict against *Luther*, and that he could protect him no longer after that, nor suffer him in his countries, without bringing trouble upon himself from the *Emperor*, resolved to have him taken, and put into a *castle*, where he might lie concealed, and no man know where he was; which was accordingly done. For when *Luther* went to *Eysenac*, May 3, and was passing through a forest in his way to *Wittemberg*, he was set upon by some horsemen in disguise, who threw him down, and took him, as it were by force, to carry him into the *castle*

castle at *Wittemberg*, where he lay concealed nine months.

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While *Luther* was shut up in his castle, which he called his *hermitage* and his *Patmos*, he composed several books, to maintain his opinions, and to destroy the discipline of the church, threatening the *Pope* and the *bishops*, if they did not change their customs, after they were warned by his writings, God would permit others to oblige them to it.

It is not to be wondered at (says *Du Pin*) that *Luther's* doctrine, which was so favourable to *concupiscence*, should meet with many followers—that the monks left the *cloysters*, and dispensed with the observation of their *vows*; that the *priests* married, and the *people* were pleased, to see themselves discharged of all that was penal by the laws of the church, as *fasting*, *confession*, *penance*, &c. and embraced greedily these *novelties*: *Carlostadius* was one of the first, that gave the *priests* an example of *marrying*. *Justus Jonas*, provost of *Wittemberg*, and *Bernard Veltkirck*, pastor of *Kenbergen*, did the same, as also *John Buginbagius*, who had been a school-master at *Treptow* in *Pomerania*, but then settled at *Wittemberg*. *Veltkirck* was accused of the matter before the *Electors* of *Mentz*, *Archbishop* of *Magdeburgh*, and *Veltkirck* made an apology to him, to justify what he had done.

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Luther scrupled not to defend his doctrines in many writings, in which he severely attacked the *Pope* and the *bishops*; he accuses the latter of *ignorance*, *debauchery*, and *tyranny*—of being enemies to the *gospel*, and the *truth*—of being *idolaters*, because they followed the *traditions* of men, and worshipped their idol the *Pope*. He said that *monasteries*, *cathedral* and *collegiate churches*, are the *gates of hell*, and *shops** of *useless ceremonies*. He declaims against *celibacy* and *vows*—“ *hiding his*
“ *malignity* (says *Du Pin*) *under an ap-*
“ *pearance of zeal* for the *truth*, and cit-
“ *ing several texts of scripture* to shew,
“ *that the doctrine and behaviour* of the
“ *bishops* of his time, were opposite to
“ *those which St. Paul* requires in a *bi-*
“ *shop*. Lastly, he says his design is to
“ *perform the office* of a public herald,
“ *to make it manifest every where*, that
“ *the bishops*, which govern the greatest
“ *part of the world*, are not of *God's ap-*
“ *pointment*, but by the delusion of *Sa-*
“ *tan*, and by error and traditions of men,

* It would have reflected great honour on the *reformation*, if all *these shops* had been shut up entirely, and their revenues, which are *immense*, been properly appropriated to the poor parochial *clergy*; the indigence of many of these is a *scandal* to the *nation*, but hardly a greater, than, that *others* have to say—

Nos numerus sumus, fruges consumere nati. HOR.

*But we, mere cyphers in the book of life,
Born to consume the fruits of earth.* FRANCIS.

“ and,

“ and, in one word, the *nuncios* and *vicars* of the *devil*.”

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There lived in the *sixth century* one *Gildas*, surnamed the *Wise*, who was made *abbot* of *Bangor*; this man was born in *England*, anno 520, and by his writings we find, that, from his time to *Luther's*, *churchmen* were no *changelings*; for of the *clergy* of *England* *Gildas* writes — “ *England* has
“ *bishops* enough, but they are either *fools*,
“ or *ministers* to the passions of the great,
“ or unchaste men—it has *clergy* enough,
“ but, for the most part, they have only
“ the name of *pastors*, and are, at the bot-
“ tom, *wolves* prepared to kill the souls
“ of their *sheep*; they never think of do-
“ ing good to the people, but *only* how to
“ fill their own bellies.—They seek for
“ churches, but it is *only* out of a desire of
“ filthy gain—they teach the people, but
“ at the same time they give them bad ex-
“ amples—they very seldom offer sacrifice,
“ and never go to the altar with a clean
“ heart—they flatter the people in their
“ crimes, and seek only to satisfy their
“ passions—they very seldom speak the
“ truth—they despise the poor, and make
“ court to riches—they canvass for and
“ purchase *ecclesiastical* offices, &c. He
“ concludes with a prayer to *GOD*, to
“ preserve the small number of good pas-
“ tors that was left.” See *Du Pin*, cent. 6.
tit. *Gildas*.

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Luther's writings gave great offence, and raised up many *answerers*; among the rest he had a *royal* adversary, Henry VIII. King of *England*, who, for the book which he wrote against *Luther*, was honoured by the *Pope* with the title of *defender of the faith*, which has ever since been given to our *kings*.

However, nothing could daunt *Luther's* truly heroical spirit; he found, that all the calumny and abuse from his enemies, and with which they loaded him in their attacks upon his writings, tended to little else than to expose the nakedness of their cause, and but badly supplied the place of rational and scriptural arguments, he therefore was no more troubled at them, than at the whistling of the wind.—His pen was kept constantly at work: and in anno 1522 the *Pope* sent his *nuncio Cberogatus* to the diet of the empire, held at *Nuremberg*, to declare, that though he was
 “ comforted to think that *Luther's* doctrine was so visibly *bad*, that he could
 “ not believe it would be *tolerated*, yet
 “ this *poisonous* plant had taken root—that
 “ it appeared strange, that so large and religious a nation as *Germany*, could be
 “ seduced, in so great a part of it, by a
 “ *wretched* fryar, who had *apostatized* from,
 “ and left the way, which our LORD, the
 “ *apostles*, *martyrs*, and so many illustrious persons for *doctrine* and *holiness*,
 “ and

“ and lastly, their *ancestors*, had followed
 “ to that very time—that *Luther* still con-
 “ tinued to teach and put out *books* full of
 “ *errors*—that he takes the same methods
 “ to seduce the people that *Mahomet* used;
 “ for, as *Mahomet* allowed men to have *se-*
 “ *veral wives*, and divorce them when
 “ they pleased, so *Luther*, to draw *monks*,
 “ *nuns*, and lascivious *priests* to him, he
 “ allowed them to *marry*.

“ That having represented these things
 “ to them, he exhorted the *princes*, *pre-*
 “ *lates*, and *people*, to rouse up themselves
 “ to oppose the injuries which the *Lu-*
 “ *therans* do to God and to *religion*—that
 “ the *Pope's* sentence and the *Emperor's*
 “ edict should be executed—that *Luther*
 “ should not be allowed to *defend* what he
 “ hath taught about matters of faith, be-
 “ cause most of the *truths* which he op-
 “ poseth, have been determined by *general*
 “ *councils*, and such things ought never to
 “ be called in question, as have been *once*
 “ *approved* by those *councils*, and *all the*
 “ *church*.”—N. B.

The *diet* answered the *Pope* very respect-
 fully—at the same time giving him to un-
 derstand, that they did not chuse to enter
 upon the violent measures, with respect to
 the *Emperor's* edict and the *Pope's* sentence
 against *Luther*, which *his holiness* had re-
 commended—“ As to the advices which
 “ the *Pope* had desired, that, they did
 “ not

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“ not mean to treat only about the business of *Luther*, but also concerning the extirpation of many other errors, abuses, and vices, *rooted by custom and time*, and maintained by the *ignorance* of some, and *malice* of others.

They then speak of taking away the *liberty* of the *press*, that “ *Luther*, and his followers, might not write, print, or put any thing out in public—that the *magistrates* should appoint men, of *probity* and learning, to license *new books*, and without this, no *new books* should be *published*; and thus things would be *kept quiet*, till a free *council* could be called, with consent of the *Emperor*, in some convenient place in *Germany*.

“ As to the priests which are *married*, and the *monks* who have left their *convents*, they should be punished by their *ordinaries* according to the *canons*, by deprivation of their benefices, or the like, since the *civil* laws had declared nothing against them.”

The *Nuncio*, in his reply, said, “ that for the future, they should put in execution the decree of the *council* of *Lateran*, by which it is forbidden to *print* any *book* about *matters of religion*, that had not been allowed by the *ordinary*.”

About the matter of *married priests*, he said—“ the answer of the *diet* did not displease him, if it had not this clause at
“ the

“ the end, That the *breakers* of their *vows*,
 “ if they committed any crime, should be
 “ punished by the *secular magistrates*, pre-
 “ tending that it was contrary to the li-
 “ berties of the *church*, and that the
 “ judgment of such persons belonged to
 “ the *ecclesiastical judges*.”

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After this the *diet* sent a *memorial*, of
 “ an hundred grievances,” to the *Pope*.
 Some of which were, about *constitutions*—
 they complained, that there was too great
 a number of *human constitutions*, about
 things which are neither commanded nor
 forbidden by the *commandments* of God ;
 among others, “ the hindrances of *kindred*
 “ and *affinity*, *legal* and *spiritual*—about
 “ *marriage*, abstinence from *meats*, &c.
 “ which they *dispensed* with for *money* ;
 “ by which means, they got great sums
 “ out of *Germany*, besides the *scandals* and
 “ other evils which this multitude of laws
 “ caused.”

They also complained of the incroach-
 ments of *ecclesiastical judges*, in *laymen's*
 causes, and the malversations which they
 committed in their *judgments*—of the ex-
 actions of the *clergy* for the *sacraments*,
 and also for *licences* to keep a *concubine*.—
 Also of the faculties given to the *Pope's le-*
gates and *Nuncios* to legitimate *bastards*,
 &c. &c.

They told the *Pope*, that, “ if he gave
 “ them not satisfaction, they were re-
 “ solved

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“ solved not to suffer these charges, nor
 “ those of *indulgences*, which freed men
 “ from *punishment* for *money*; they would
 “ seek means to release themselves from
 “ them.”

This resolution of the *diet* of *Nuremberg*, was made into the form of an *edict*, and published *March 6, 1523*.

Luther's exhortations were soon followed with effects. The same year *Leonard Coppen*, a *burgess* of *Targaw*, took away *nine nuns*, on a *Good Friday*, among which was *Catherine Bora* (whom *Luther* married *two years* after) from the nunnery of *Nimptschen*, and carried them to *Wittemberg*. This action (says *Du Pin*) *Luther* dared to extol, in a book in the *German* language, where he has the impudence to compare that deliverance, to that of the souls which *CHRIST* delivered by his *death*.

Luther, desiring utterly to ruin the *monastic* orders, and mix them with the public, made a kind of *manifesto* in the *German* tongue, which he intitled, “ *The Common Treasury* ;” in which he affirms, that there ought to be a *treasury* made out of all the revenues of the monasteries, *bishoprics*, and *chapters*, and in general out of all *ecclesiastical benefices*, and be given partly to the *pastors and preachers*, and other parts to different beneficial and charitable *uses*.

Zuinglius made no less progress in *Switzerland*, than *Luther* did in *Saxony*. He taught

taught that *marriage* is allowed to all the world, and no man is obliged to make a *vow* of *chastity*, and that *priests* are not at all obliged to live unmarried.—That the power which the *Pope* and *bishops* assumed to themselves, is a piece of pride, which hath no foundation in the scriptures.—That the *character* which the *sacraments* are said to impress, is a modern invention, of which the scripture makes no mention.

John Faber, chief vicar of the *bishop* of *Constance*, who opposed *Zuinglius* at the conference of *Zurich*, maintained, that where a doctrine had long been settled in the *church*, and authorized by the practice of all nations, such customs ought not to be abolished by any allegations out of the scriptures, or pretences that they are contrary to them.—*Zuinglius* replied, that we ought not to regard how long a thing has been, or has not been in use; but observe only whether it be agreeable to the *truth*, or law of God: to which custom could not be opposed.—N. B.

August 23, 1522, *Zuinglius* presented, in his own name, and in the name of many of his followers, a petition to the *bishop* of *Constance*, to intreat him to allow, at least to tolerate, the *marriage* of *priests*. He wrote also a letter, against such *impediments* of marriage, as were thought to be made by *spiritual affinity*.

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The *Pope's* legate, not satisfied with the decrees of the diet of *Nuremberg*, held an assembly at *Ratisbon*, with some *princes* and several *bishops*, where it was decreed, that there should be *no alterations* in the celebration of the *mass*, *administration* of the *sacraments*, and other *ceremonies* of the *church*, or in other *antient usages*—that the *marriages* of *monks* and *priests* should be hindered, and those *punished* that should do the *contrary*—that *printers* should not commit any book to the *press*, till it had been *examined* and *approved*—that no *prince* should entertain a *Lutheran* in his dominions—that *priests*, who keep *concubines*, shall be severely *punished*—that *marriages* shall be celebrated in a *full congregation* in the *church*, unless there be a necessity to ask the *bishop's* consent, except in *Lent*, the last weeks of *Advent*, at the feast of *Easter*, *Whitsuntide*, and the *Nativity*, and their *octaves*, and the *Rogation* days—that *monks* and *priests* which *marry*, shall be proceeded against, and if the *ordinaries* neglect to do it, the *Pope* shall appoint *judges* to punish the *guilty*.

About this time arose great troubles in *Germany*, greatly owing to the disputes and controversies among the *Protestants* themselves. Still *Lutheranism* increased, and settled itself in several cities. The *Elector* of *Saxony*, the *Landgrave* of *Hesse*, the *Duke* of *Brunswick*, professed it; the city

of *Strasburg* received it; and the *Senate* of that city maintained the *married clergy*, in opposition to the *bishop*.—In almost all the states of the *Empire*, *Lutheranism* was preached, and gained many followers.

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In the same year 1525, *Luther* married *Katherine Bora*, a person of quality, who had been a *nun*, and was taken (as before is mentioned) out of the *nunnery* of *Nimptschen*, in 1523; he defended the fact, without *blushing*, in the face of all the world, and had the *boldness* to advise the *archbishop* of *Mentz* to do the like.

Diet of AUGSBURG, 1530.

The *Emperor* published the decree of the Diet, which ordered, “ that the doctrine of *justification by faith* should be rejected — that the *sacraments* of the church should be preserved in the same number and manner as formerly—that the *ceremonies* and other usages of the church should be observed—that married *priests* and *clerks* should be deprived of their benefices, unless they would leave their wives.”

HENRY VIII. King of England.

We must now go back a little, in point of time, in order briefly to state the beginning and progress of *reformation* in this country.

Henry VII. married his eldest son *Arthur*, prince of *Wales*, to *Katherine* the daughter

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daughter of *Ferdinand*, king of *Arragon*—
Nov. 14, 1501. *Arthur* dying in a few
months after, it was promised that *Katherine*
should be married to *Henry* duke of
York, the king's *second son*.

But because this could not be done with-
out a *dispensation*, Pope JULIUS II. was
sued to for one; who granted it, by his
Bull, bearing date *December 26*, 1503,
wherein he recites—"That *Katherine* had
" been married to *prince Arthur*, and that
" perhaps this marriage was consum-
" mated—that nevertheless, *Arthur* being
" dead, *Henry* his brother and she desired
" to be married together; whereupon, to
" preserve peace among *catholic kings* and
" *princes*, he *dispensed* with the *impediment*
" of *consanguinity* in *Henry* and *Katherine*,
" all *ordinances* and *apostolic constitutions*
" notwithstanding; he allowed them to
" marry, and, if they were already married,
" he confirmed it."—See *Lev. xviii. 16*.

After this *dispensation*, *Henry*, who was
still under age, was married to his *brother's*
wife.—See *Thelyph.* vol. ii. 1st edit. p. 76, n.
—p. 70, 2d edit. and p. 13, n.

'Tis not known upon what account his
father obliged him to enter a *protestation*
against this marriage, *June 27*, 1505, be-
fore *Fox*, bishop of *Winchester*; "that,
" being of age, he now revoked the mar-
" riage, which he had made with his *bro-*
" *ther's widow*; that he thought it *null*, and
" would

"would have it *legally dissolved*." Nevertheless it remained still as it was.

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Henry VII. dying *April 7, 1509*, the young *king* caused the validity of his marriage to be examined by his *council*; and *Warham*, archbishop of *Canterbury*, was hardly brought to approve it; but the contrary opinion being the stronger, the *king* married *Katherine* publicly, *June 25, 1509*. This *princess* was with *child* several times, but either *miscarried*, or the issue lived but a little while, except one daughter, *Mary*.

Henry lived with *Katherine* till 1525, without any scruple about his marriage, for he did not think of the divorce till 1526. What moved him to begin is not certainly known. He only pretended *conscience*. The distaste which he took to *Katherine's* infirmities did contribute to it, but the love which he entertained for *Anne Boleyn* fixed his resolution more than all the rest, to require a *divorce* from *Katherine*, that he might marry *Anne*.

Cardinal Wolsey, out of revenge for some treatment he had received from the emperor *Charles V.* nephew of queen *Katherine*, resolved to make king *Henry* an irreconcilable enemy to the emperor, confirmed *Henry's* scruples about the lawfulness of his marriage; well knowing, that as *Katherine* was sister of *Joan of Arragon*, the mother of *Charles V.* it would be an horrid affront, that would fall upon the

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whole family, to have her despoiled of her quality of *Queen*, her daughter *Mary* thereby declared illegitimate, and incapable of inheriting the *crown* of *England*.

The whole affair may be seen in *Du Pin*, and *Burnet Hist. Ref.* at a much greater length than it is at all to my purpose to mention here. I would only observe, that after much chicanery and disputation, among divines and casuists, in almost all the countries of *Europe*, the question was decided against the poor *Queen*, and a sentence of divorce pronounced by *Cranmer*, archbishop of *Canterbury*, as *legate of the Holy See*, May 23, 1533. Five days after which, king *Henry's* marriage with *Anne Boleyn* was confirmed, she came to *London* in triumph, May 29, made a magnificent entrance, and was proclaimed *Queen* on the 30th, and the *King* commanded all his subjects not to give *Katherine* the name of *queen*.—He also caused her to be importuned not to stand on the validity of the *marriage*, but all in vain.

News being carried to *Rome*, whither *Katherine* had appealed, incensed that court against *Cranmer*; the *Pope* made all his proceedings void, denouncing *excommunication* against the *King* and *Anne Boleyn*, if they did not appear at *Rome* before the end of *September*, or if they parted not before that time.

Few

Few among the Protestants favoured the king's cause, or approved of his divorce from *Katherine*. *Melancthon*, and the other *Lutheran* divines, held that the marriage with her was *valid*. *Oecampadius*, *Zuinglius*, and *Calvin*, asserted the nullity of the marriage, grounded on the prohibition in *Leviticus*. Several books were put out, for and against the marriage of *Henry* with *Katherine*, and the question was hotly disputed between the *divines* and *casuists*.

At *Rome* the affair was debated in a consistory, May 23, 1534, and of twenty-two cardinals, nineteen were of opinion, that the marriage of *Katherine* with *Henry* was good, and the divorce null and void.—He was enjoined to take her again for his wife, and forbidden to continue his separation from her any longer.

This proceeding laid the foundation of abolishing the *Pope's* power in *England*, and occasioned many *acts of parliament* for that purpose; but *Popery* still remained, and some of its most horrid cruelties placed in the power of the king. They also settled the succession of the crown upon the children that should be born of *Anne Boleyn*; and the princess *Mary*, the daughter of *Katherine*, was excluded.

Anne Boleyn did not long enjoy her dignity: the king, being enamoured with *Jane Seymour*,

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Seymour, found a means to get rid of his wife *Anne*, by accusing her of *adultery*; for which she was condemned to *death*.

Before this sentence was *executed*, she was forced to declare, before the *archbishop* of *Canterbury*, and the *ecclesiastical court*, that, before she married the *king*, there was a promise or contract of marriage between her and the lord *Percy*, who was then become earl of *Northumberland*; and, upon this declaration, *Cranmer* passed a *sentence*, by which her marriage with the *king* was declared *null*, and her daughter *Elizabeth* declared illegitimate, as *Mary* the daughter of *Katherine* had been. *Anne* was beheaded, May 19, 1536.

The next day after her *death*, *Henry* married *Jane Seymour*, with whom he was passionately in love. The *princess Mary* was received into favour, after acknowledging in writing that the *king* was *supreme head* over the church of *England*, and that the marriage of her mother was *null and incestuous*.

In the following *parliament* a very severe law was made, *anno* 1536, against those who should acknowledge the power of the *Pope*.

The *convocation* of the *clergy* agreed on several matters, by which the Popish doctrines were established, as *transubstantiation*, auricular confession, and that the *ceremonies* are to be retained as good and commendable;

able; with many other matters of the like sort. These were all confirmed by the *king*. CENT.
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Nevertheless he did not spare the *abbies* and *nunneries*, but dissolved them all, and * seized their revenues.

In 1539 he caused six articles to be drawn up, and to be established by the parliament. One among which was, that it is not lawful for those in *holy orders to marry*—the marriages of *priests* declared void, and those ordered to be punished with *death* who should *marry*, as well as those who, by preaching, writing, or open discourse, should declare or maintain it *lawful* for them so to do.

Jane Seymour, the third wife of *Henry*, dying in 1537, two days after her delivery of *Edward* (afterwards *Edward VI.*) the *king*, by the *advice* of *Cromwell*, whom he had made his vicegerent in *spiritual* affairs, and *lord privy seal*, and had lately created earl of *Essex*, married *Anne of Cleves*; but the *king* took a distaste to her, and, immediately after his marriage, endeavoured to break it. Poor *Cromwell* was disgraced—accused of *heresy*, and other offences, for which he was beheaded, July 28, 1540.

* I have been told, that the only one that escaped, was the little *convent* of *St. Katherine's* near the *Tower*, which still consists of a *Superior* (now called the *Master*) and of *Brothers* and *Sisters*.

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He was no sooner condemned, than the king sought to dissolve his marriage with *Anne of Cleves*. The causes alledged for it were, that she had been before contracted to the *marquis of Lorrain*—that the king, having married her against his inclination, had never consummated the marriage. Upon these reasons, the *parliament* declared the marriage *null*, and *Cranmer*, and the rest of the *clergy*, were of the *same opinion*, and so sentence was given *July 9th*.

The *queen* consented to it, and remained ever after in *England*. The king, soon after, married *Katherine Howard*, whom he loved *passionately*.

The *commissioners*, whom the king had appointed for *ecclesiastical* affairs, drew up a long instruction, in which they owned all the *Catholic doctrines* except the *Pope's supremacy*. They regulated all the *ceremonies and rites* then in use, according to the practice of the *primitive church*. They also held *free-will*, and the *merit of good works*.

Doctor Barnes, and some others, having preached against these doctrines, were condemned to death as *heretics*. In short, *Henry* punished with death, *Lutherans*, and the defenders of the *Pope's supremacy*, alike.

Katherine Howard was discovered to lead a loose life; which being proved against her, she was beheaded, *February 12, 1542*.
King

King *Henry's* sixth wife was *Katherine Parr*, the widow of *Nevil lord Latimer*, whom he married in *July 1543*. Though she favoured the *Protestants*, yet the king did not stop the execution of the *Lutherans*, or *Sacramentarians*. *Henry* to his death continued in the same judgment, as to his religion, but would never return to the church of *Rome*, and in this disposition he died, *January 27, 1547*, being fifty-six years old, having reigned thirty-seven years and nine months, and having passed many laws, which made him a *Pope*, and the *archbishop of Canterbury*, and the rest of the *bishops* and *clergy* in convocation, so many *Popes* under him.

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Diet of RATISBON, anno 1541.

Before we proceed any farther in the affairs of religion in *England*, it will be necessary for us to return to the *Continent*, in order to acquaint ourselves with those transactions, which may be said to have had so great an effect with regard to religion in general, and particularly afterwards in *England*.

The diet of *Ratisbon* was attended by the emperor in person, and by all the princes of the empire, either in person or by deputies. The *Pope* sent to it cardinal *Con-taremus*, a man famous for wisdom and profound learning.

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At this *diet* there was a conference appointed, between the *Catholic* and *Protestant* divines, nominated by the *emperor* for this purpose. He chose for the *Catholics*—*Julius Pflugius*, *John Eckius*, and *John Groppen*:—And, for the *Protestants*—*Philip Melancthon*, *Martin Bucer*, and *John Pistorius*.

A book was delivered to the *collocutors*, thought to be drawn up by *Groppen*, which contained 22 articles.

Art. 15. Is about the *sacrament* of marriage, and tells us, “ That it is appropriated to *Christians*; that it is grounded upon the words of *CHRIST*, when the inseparable union of *male and female* is commanded, and the outward conjunction of them is the *element*, and the *virtue* consists, in acknowledging that *man and wife* are joined together by the *authority* of *God*, and have received a *grace* which makes their *union* lawful.”

Art. 21. Concerns the *ecclesiastic* discipline of the *clergy*, and it is said, “ That if the latter *canons*, which obliged *priests* to live *unmarried*, be retained, the antient censures against *priests* that keep *concubines*, ought to be revived.” Some of the antient rules, concerning the *continence* of *priests*, are here set down.

These, and others of the *articles*, were objected to by the *Protestants*. The *Pope's* legate gave an answer which they did not like;

like; this provoked the *Protestants*, displeased the *emperor* and the *Catholic princes*; but the *legate* said, that the *articles* should be generally reserved to the judgment of the *Pope*, and the *Apostolical See*, in a *council*, to which he remitted that business entirely.

While the *emperor* and king of *France* were waiting for the calling of a *general council*, they consulted the *divines* of the *University of Louvain*, which was one of the most famous in *Europe*, who drew up 32 articles against the *innovators*, Nov. 6, 1544.

Art. 18. *Marriage*, lawfully contracted, and consummated, among *Christians*, cannot be dissolved, though it happens to either of them, who are so joined together, that they commit *adultery*, or become *barren*, or be *heretics*.

Art. 19. It was never allowed to a *Christian* man to marry again after a *divorce*, so long as the *woman* from whom he was parted be *alive*.

Art. 20. That *marriages* contracted against the *canons*, which have laid down the invincible impediments, are *null*.

Art. 32. That it is good to make *monastic* and other *vows*, and that being made they are obligatory before God.

The *divines* of *Paris*, by the *king's* order, *March* 10, 1542, composed 25 articles of faith.

Art. 11. It is not to be doubted but the

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the *saints* in heaven and earth work miracles.

Art. 12. It is a pious thing, and agreeable to God, to pray to the *virgin Mary*, and to the *saints*, that they would be our *advocates* and *intercessors* with God.

Art. 15. That if any one prays to the *virgin Mary*, or to some saint, rather than to God, he doth not sin.

Art. 20. It is certain we ought to believe many things, which are not mentioned in scripture, but received by the *tradition* of the church.

Art. 25. That *monastical* vows of *chastity*, *poverty*, and *perpetual obedience*, oblige in conscience.

That the constitutions of the church oblige in *foro conscientiae*.

There were several *provincial councils* held in *France* and *Germany*, before the council of *Trent*, against the *new heresies*.

Council of BOURGES, anno 1528.

Can. 1, 3. The *heresy* of *Luther* having been condemned by the *holy see*, no person shall *print*, *sell*, or *keep* any books, in which the said *heresy* shall be diffused.

Can 12. Injoins the *curates* not to suffer certain ridiculous *ceremonies* any longer to be used in the *administration* of the *sacraments* of *baptism* and *marriage*.

Can. 18. No *school-masters* shall read such

such books to their *scholars*, as may make them averse to the *ceremonies* of the *church*.

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Council of the *Province* of SENS, held
at PARIS, anno 1528.

Can. 1. Is about the *unity* and *infallibility* of the *church*. It is there declared, that it cannot fall into any error about *faith* and *manners*; and he that doth not *depend* on its authority, both in *doctrine* and *manners*, is *worse than an infidel*.

Can. 3. He that resists the authority of *general councils*, ought to be accounted an *enemy* to the *faith*.

Can. 4. It belongs to the *church* to interpret the scriptures; and those who do not follow the *canons* of the council of *Carthage*, *Innocent*, and *Gelasius*, and refuse the *sense* which the *holy fathers* have put upon them, are *schismatics* and *heretics*.

Can. 5. Establishes the necessity and validity of *traditions*, and tells us, that such things as are derived to us *that way*, ought to be *believed*, and *observed*, and whosoever refuseth to accept any truth, for *this reason only*, "because 'tis not *clearly delivered* to "us in *holy scripture*," ought to be esteemed an *heretic* and *schismatic*.

Can. 6. Concerns the obedience due to the *constitutions* and *canons* of the *church*, and *condemns* those that *despise* them.

Can. 7. They are pronounced *accursed*,
who

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who do not observe the *Lent fast*, and other *fasts*, and times of *abstinences* commanded by the *decrees* of the *church*.

Can. 8. Numbers those among *heretics*, who teach that *priests*, *deacons*, and *sub-deacons*, are not obliged to live a *single life*, and so leave them at liberty to *marry*.

Can. 9. Against those who count *perpetual* vows unlawful, and especially *monastical* vows. They *prove* the obligation of them, and order those to be punished according to the *canons*, who say that it is *lawful* to *break* them,

Can. 10. Condemns such as lessen the *number* of *sacraments*, or deny that they have a power to *confer grace*—that *marriage* is a true *sacrament*, by which the persons joined together receive a *celestial blessing*.

Lastly. All those that acknowledge not the seven *sacraments* are to be esteemed *heretics*.

In another set of *canons*—It is ordered, that all shall attend the *parochial mass* on *Sundays*, and inform the *officers* of the *ecclesiastical courts*, of those who are absent three *Sundays* together.

Can. 39. *Marriage*, being a *sacrament*, ought to be received with reverence, and all persons shall forbear laughter, and merry talk, while the *office* is *celebrating*, and the *marriage-blessing* is pronouncing—that the persons *espousing*, shall prepare themselves
for

for this *sacrament* by *fasting* and *penance*—
that none shall be *married* for the future
'till after *sun-rising*, and not immediately
after *midnight*, as has been usual; which has
been the occasion of many *clandestine* marri-
ages, from whence many very great scan-
dals have arisen; and therefore all such as
contract or *favour* them, are excommuni-
cated *ipso facto*.

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Can. 40. No new *miracle* shall be pub-
lished, without the exprefs licence of the
bishop.

First Provincial Council of COLOGNE,
anno 1536.

This *provincial* council was called in the
time of PAUL III. and of the *Emperor*
CHARLES V. by *Herman de Meurs*, arch-
bishop of *Cologne*; who afterwards embrac-
ing the *new doctrine* of LUTHER, sent for
BUCER and MELANCTHON to preach it in
his *archbishopric*; and whose engagement to
this *new doctrine* was so strong, that he ra-
ther chose to leave his *archbishopric* than re-
nounce it; and so he died in 1552, in the
heresy which he had embraced.

Art. 32, 33. Contain an advice to such
as have *several benefices*, especially with the
cure of souls, not to satisfy themselves, that
they have gotten the *Pope's* (*hodie* the arch-
bishop of *Canterbury's*) dispensation for it;
but to examine themselves, and see *whether*
they

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*they have one * from God: nevertheless, for fear they should injure their own consciences, they are ordered to submit their dispensations to the bishops, that they may judge impartially whether the pretences be just.*

In the *second* part of the council are 32 articles.

Art. 25. It were to be wished that *clergymen* would not be present at *weddings*.

Art. 40—47. Speak of the *sacrament* of marriage, and wish that the good custom of *fasting* and receiving the *communion* before marriage, were again restored. It enjoins *curates* to *marry* none, unless the *banns* were published *three times*; as also not to *marry* any strangers without certificate from the place of their abode, to testify that they are not already *married*, and without a *licence* from their *curates* that they may be married by another. And if there be any degrees of *consanguinity* between the persons, who are to be joined in *marriage*, and if they have obtained a *dispensation* from the Pope, to examine it, and if they find the copy is not true, to declare their *dispensation* null: as also to forbid those sports at church, which are usual after the *celebration* of *marriage*, with the new-married couple.

It is also forbidden to eat *flesh* in the *holy* time of *Lent*, upon account of weakness, without licence from a *curate*.

* Qu? If this *advice* can ever be *unseasonable*?

Council

Council of MENTZ, anno 1549,

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Determines that the marriage of children, without the consent of their parents, is *null and void*; and orders, that all marriages shall be celebrated in the *church*, with the *usual ceremonies*, and after the *banns* have been *thrice* published. See Stat. 26 Geo. II. c. 33.

Divines of PARIS, assembled at MATHURINS, May 6, 1518.

They gave their judgment on two propositions concerning *indulgences*. The first was—"Whosoever shall put into the *cru-*
" *sade*-box a *testoon*, or the value of it, for a
" soul that is in *purgatory*, he shall free
" that soul immediately, and it shall in-
" fallibly and directly go to *paradise*. Item.
" If he cast in ten *testoons* for ten souls, or
" a *thousand testoons* for a *thousand souls*,
" they shall go immediately and certainly
" into *paradise*."

This, the *Paris* divines, alarmed with what *Luther* had published about *indulgences*, were afraid to approve of; however, they approved of a *second* proposition, which softened the *first*, by saying—"We must
" leave it to God to apply the treasure of
" the *church* to such souls as He *pleaseth*."

On May 16, 1526, The *faculty* passed a general censure on *Erasmus's Colloquies*, as a work wherein the *fasts* and *abstinences* of the
church

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church are little esteemed, *prayers* to the *virgin* and *saints* laughed at, and *virginity* is set below *marriage*.

There is also another *censure*, April 30, 1530, on the two following propositions; viz.

First. That the scriptures can't be well understood without a knowledge in the *Hebrew* and *Greek* tongues.

Second. That a preacher can't explain the *epistles* and *gospels* aright without the said *tongues*.

The *first* is condemned as rash and scandalous—the *second* as false and impious, and which discourages *Christian* people from hearing the word of God. They add, that both of them render their *authors* suspected of *Lutheranism*.

N. B. One precedent, at least, of that neglect, and indeed, of that contempt, among *Christians*, of the *original* scriptures.

How would it sound to the ears of common-sense and right reason, to be told of a people who cultivate the knowledge of most other languages, and despise the attainment of those, in which the only foundation of their religion is contained?—We should be ready to say—“Surely, ignorance is the mother of that people's devotion”—yet in so saying we must reproach ourselves.

It is to be remarked, that whenever men have sought dominion over the minds and consciences of their fellow-mortals, they have

have ever wished to keep them in ignorance; this is by no means to be confined to the *church of Rome*; the leaders among the *fanatical* sectaries in the *last century*, decried all *human learning* as *heathenish, antichristian, and profane*.—*Dr. South* (*Sermons*, vol. iii. p. 500) observes, that all “*learning* was then cried down, so that, “*with them, the best preachers were* “*they that could not read, and the best* “*divines, such as could not write.*”—“*Latin,*” says he (*Sermon intitled Christian Pentecost*) “*unto them was a mortal* “*crime, and Greek, instead of being the* “*language of the Holy Ghost (as in the* “*New Testament it is) was looked upon* “*as the sin against it: so that, in a word,* “*they had all the confusion of Babel* “*among them, without the diversity of* “*tongues.*”

*What's Latin, but the language of the beast?
Hebrew and Greek is not enough a feast:
Hav't we the Word in English, which, at ease,
We can convert to any sense we please?
Let them urge the original, if we
Say 'twas first writ in English, so't shall be.
For we'll have our own way, be't wrong or right,
And say, by strength of faith, the crow is white.*
See GREY: HUD. vol. i. 280, n. 3d edit.

The great and learned Mr. *Selden* was a member of the assembly of divines, anno 1643; and sometimes, when they had cited
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a text of scripture to prove their assertion, he would tell them—" *Perhaps in your " little pocket-Bibles with gilt leaves" (which they would often pull out and read) " the " translation may be thus, but the Greek or " the Hebrew signifies thus and thus ;" and so would totally silence them. Whitlocke, 71.*

ERASMUS.

This great and learned man was born at Rotterdam, anno 1464 or 1465. *Du Pin* relates a curious anecdote relative to him. His father *Gerard* had two sons, by *Margaret* the daughter of a physician of *Ter-goes*, to whom he had made a *promise of marriage*; the eldest of these sons was named *Peter*, and the younger *Erasmus*. *Gerard* was resolved to have married *Margaret*, but his father and brothers would not suffer him to do it; therefore he stole away out of that country and went to *Rome*, leaving *Margaret* great with child of her *second* son. She went to *Rotterdam* to lie in there, where *Erasmus* was born.

His father was at *Rome*, where he got his bread by writing, when he was informed that *Margaret* his spouse-elect was dead. He had always entertained hopes, that she should at last become his *wife*, and was so sensibly touched with the news of her death, that he gave over all thoughts of marriage,

marriage, and entered into *priest's* orders. Yet the news proved false; for when he returned into *Flanders*, he found her still alive, with his *two* sons, whom she was forced to provide for. Now, though he was no more in a condition to *marry*, or to live with her, yet he always loved her, and, so long as he lived, he took care of the two sons he had by her. As for himself, he was a man of good learning, had a talent for preaching, and in that employed himself the rest of his life.

Erasmus entered into the order of the *canons regulars* at *Stein*, when he was about nineteen years of age, but disliking the way of life, he left it, and, at his intreaty, JULIUS II. gave him a *dispensation* from his *vows*. This great man had a soul too enlarged, and a mind too well cultivated, to relish the wretched *school-divinity* of his day; he wrote many treatises, and brought much controversy upon himself, from men who seemed to have become his *enemies*, because he wished to tell them some *truth*. At the request of the *Pope*, the *Emperor*, the King of *England*, the *Cardinals*, *Prince George of Saxony*, and his own friends, he at last attacked *Luther's* book "*de Servo Arbitrio*," which engaged him in a long controversy with *Luther*. However, he was suspected in some points of *Lutheranism*, and some propositions were

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presented to the *parliament of Paris*, in 1523, which were censured as *erroneous and schismatical*, by *Natalis Bedda*, syndic of the faculty.

Erasmus wrote an Apology, in which he detected *Bedda's* disingenuousness, and refuted his censures; however, a decree against *Erasmus* was published at *Paris* 1532.

The offence which *Erasmus* gave, by speaking too freely against the *monks*, the *school-divines*, and against some *superstitions*, occasioned him many bitter enemies among the *school-divines* and *monks*, who charged him with *error*, *heresy*, and *impiety*. The freedom with which he reproved them, the prejudices they were possessed with against every thing that appeared *new*, their *bigotry* in adhering to some common opinions and customs, were the causes of all that trouble which he suffered from them.

In short, *Erasmus*, notwithstanding his early prejudices for the church of *Rome*, declaimed openly against those, who, neglecting those sacred fountains of truth the *holy scriptures*, spent their time about questions of no moment, and who, neglecting the duties of *true religion*, too much confided in *ceremonies*.—He longed for a reformation of manners among the clergy, as the best way of putting an end to those disorders and confusions, which had been occasioned by

by the handle they had given to their opponents the *Lutherans*. Instead of this being taken in good part, they selected pieces of his writings, lame and imperfect sentences, detached from what *went before*, and from what *followed after*, and thus they obtained the *decree* against him as before mentioned. His maxim was—“ *I desire to do good to all mankind, without offending any man,*”—but he found, as every man will, that this is impossible.

He died, however, a true *Catholic* (after refusing a *Cardinal's* hat) at *Basil*, where he was *rector* of the *university*, anno 1536.

In one of his epistles he speaks of *Tertullian*, and seems to endeavour to soften many errors of that *father*, wherein he mentions the *antients* as against *second* marriages, and that they even enjoined *celibacy*.

In another, to the bishop of *Rocheſter*, he tells him, that, on *one* ſide, he had the *monks* and *divines* to encounter with, and they deſigned his ruin; and, on the *other*, the *Lutherans*, who fretted at him, becauſe he retarded their triumphs, as they pretended, and would not openly profeſs *Luther's* doctrine. He ſays, there were ſome things in that doctrine which he did not underſtand—ſome which he doubted of—and ſome which his conſcience would not allow him

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to maintain: and he wished that the disorders which *Luther* had raised, might be as a bitter and violent potion, which might purge the church.

In an epistle to *Franciscus a Viçtoria*, he mentions an horrid saying of *St. Jerome's* on the subject of marriage, viz. "What kind
" of good can that be, that is only approved
" of, in comparison with something that is
" more sinful?"

Erasmus wrote a book intituled—"The
" institution of a *Christian marriage*."—In the preface he observes, that, "Of all things
" in this life, marriage is of the greatest
" importance—the *Pagan philosophers* have
" written of it, with all the prudence that
" reason could suggest to them. There
" have been an infinite number of laws,
" made for the durableness and sacredness
" of marriages.

" It seems the *antient Christians* were
" more negligent of this, than of other
" things, because the greatest part of them
" were, by a fervent zeal, wonderfully inclined to *celibacy* and *perpetual virginity*.
" This is the reason that so many of them
" have made panegyrics on *virginity*, and
" have prescribed rules to *widows* and *virgins* how to live devoutly, and that few
" or none of them have done the same to
" married persons."

He defines marriage, with the lawyers,
to

to be “ A *lawful* and perpetual union of
 “ *man* and *wife*, in order to the procreation
 “ of children; which includes a partner-
 “ ship of life and goods. That *procreation*
 “ being the end of *marriage*, it cannot
 “ properly be said that *marriages*, between
 “ persons not capable of having chil-
 “ dren, are *true marriages*, yet he is satis-
 “ fied that the *church* doth approve of
 “ them, and that they are in themselves
 “ *lawful*.

“ He speaks occasionally of the *cere-*
 “ *monies* of *antient Pagans* in their *marri-*
 “ *ages*. He treats very fully of the mar-
 “ riage between *Jesus Christ* and his *church*,
 “ of which, marriage among *Christians* is
 “ a *sacrament* or *sign*.”

He says, “ That some *antient divines* con-
 “ sidered *marriage* only as a sign, and did
 “ not acknowledge that it conferred *grace*,
 “ and therefore did not place it in the rank
 “ of those that are properly called *sacra-*
 “ *ments* of the *New Testament*; in which,
 “ the *signs* are efficacious by virtue of the
 “ covenant, in which God has declared his
 “ will. But that the more plausible opi-
 “ nions of *modern divines* had prevailed,
 “ who taught, that in *marriage*, *lawfully*
 “ *solemnized*, there is conferred, as in other
 “ *sacraments*, a special gift of the *Holy*
 “ *Ghost*; by which the man and the woman
 “ are confirmed in their resolutions to live

Q 4

“ together

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“ together in perpetual agreement—but,
“ as in the other *sacraments*, we do in-
“ cur the displeasure of Heaven, if we do
“ not receive them as we ought to do,
“ so the same thing happens in *mar-*
“ *riage*.”

He confesses, “ that the primitive *Chris-*
“ *tians* had so great a veneration for *vir-*
“ *gins*, that their *glory* did obscure the
“ *glory* of *marriage*. He does not think
“ that every consent makes a true and law-
“ ful *marriage*. It is necessary, that the
“ consent be given by *verba de præsenti*:
“ that it be free and voluntary, and accord-
“ ing to the *laws*.”

He relates “ many subtle questions of
“ *lawyers* concerning this consent, and
“ treats very fully of the obstacles of *mar-*
“ *riage*, as well of those which make it
“ *void*, as of those which make it *unlawful*,
“ and would have the obstacle of spiritual
“ relation altogether suppressed.

“ That parents should instruct their
“ children, at about *three* years of age, to
“ bow at the name of *Jesus*, and to kiss
“ the *crucifix*, &c.”

Erasmus was of opinion that *St. Paul*
was married, and he translated *γυναικὶ συζυγε*,
Phil. iv. 3. by *Germana conjunx*, by
which, he believed, *St. Paul* meant his
wife, because the person here spoken to,
was to minister to the necessities of the *fe-*
male saints.

GAUFRIDUS

GAUFRIDUS BOUSSARDUS,

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Wrote a treatise concerning the *celibacy* of the *clergy*. Upon that question, "Whether the *Pope* can permit a *priest* to "marry"—he lays down *seven* propositions, viz.

1. It is, and always has been, permitted in every place, as well in the *Eastern* as in the *Western* church, for the *clergy* that are in *lesser* orders to *marry*.

2. That it was allowed, as well in the *Eastern* as in the *Western* churches, from the very first beginning of the *church*, 'till the times of *Pope Siricius* and *Innocent I.* to promote *married* men to the higher orders, including that of the *priesthood*; and the *priests*, as well as others, were allowed to *live* with their *wives*.

3. Since the times of the above *Popes*, it seems it had never been allowed, in the *Western* church, that *married* men, who *lived* with their *wives*, should be promoted to *deacon's* or *priest's* orders; or that those who were promoted to those *orders* should have *wives*—or, if they had any, they were obliged to promise that they should live in *continency* with them. But 'till the times of *Pope Gregory*, married men might be ordained *deacons*, without obliging *themselves* to *continence*.

4. Since the time of *Pope Gregory I.* it has never been allowed in the *Western* church
to

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to ordain any *deacons*, but those who promise solemnly to live in *continence*.

5. It is and always has been allowed, in the *Greek* and *Oriental* churches, that those who are *married*, may be advanced to *orders*, even *priest's orders*, and that they may live with their *wives*.

6. It is not, nor ever was, allowed, that those who are already in *holy orders* (*priests*, *deacons*, or *sub-deacons*) should *marry*.

7. The *Pope* may, in some cases, grant a *dispensation* to a man that is in *holy orders* to *marry*.

CARDINAL CAJETAN.

In a treatise on marriage he teaches, that a marriage solemnized by *proxy* is not a *sacrament*, if it be not afterwards ratified by the parties present—That *clandestine marriages* may be sometimes permitted—That it is *absolutely unlawful* to converse together as *man* and *wife*, before they receive the *benediction of the church*—That the *priesthood* does not make a *priest* absolutely incapable of marrying, and that it does not make void a marriage already contracted—That the *priests*, when they enter into orders, take upon them the *vow of virginity*, but the *Pope* may *dispense* with it. He may also *dispense* with the *law*, which obliges them to live *unmarried*—That the *Pope* may *dissolve* a *marriage* contracted, but not consummated, and that he may do this not only

only when either of the parties, or both, are to enter into a *monastery*, but also for *other reasons*; because the only reason why the *sacrament* of *marriage* is not *dissolvable* is, that it is the sign of the union of JESUS CHRIST with his *church*; but marriage is not a compleat sign of that *union*, 'till it be *consummated*. That the *Pope* can dispense with the *vow* of *chastity*, but not with the *vow* of *living unmarried*. He maintains the validity of *Henry VIII.*'s marriage with his *sister-in-law*.

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CORNELIUS AGRIPPA,

In his treatise of the *sacrament* of marriage, extols that *sacrament*, for the *antiquity* of its institution, for its *generality*, and for its being *indissoluble*, because, that, by *marriage*, the *man* and his *wife* become *one flesh*, and that a man cannot part with his *own flesh*; yet he excepts the case of *fornication*.

He was greatly censured, for saying "that marriage was dissolved by *adultery*." He held, that *Adam's* sin, "was nothing else, but the carnal knowledge of *Eve*" — Et "*serpens Evam tentans, Adami veretrum*."

JOHN FISHER, Bishop of ROCHESTER.

He maintained, that JESUS CHRIST has taught, and appointed *many things*, that are not written in the *four gospels*, and that the
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Holy Ghost might teach the *church* some truths, which JESUS CHRIST had not taught before. He censures *Luther's* arrogance, in despising the laws, customs, opinions, and faith of the *church*: and exhorts all *Christian princes* not to give ear to his *gross impieties*; and to employ the same force against *Luther's* heresies, as they would against *Turks, Saracens, and Infidels*.

Fisher was one of those who refused to put King Henry VIII. in the *Pope's* place, by acknowledging *his Majesty* *supreme head* of the *church* of *England*, and taking the appointed *oaths*—for which he was *beheaded*, June 17, 1535.

JACOBUS LATOMUS.

He was *doctor and professor* of divinity at *Louvain*, and a great controversialist against *Luther* and his doctrines.

In a treatise on *Marriage*, he begins with laying down some principles concerning that *sacrament*. To prove that a marriage *contracted* and *consummated* can only be dissolved by death, he lays it down—

1. The *sacrament* presupposes the *contract*, and if a stop be put to the *contract*, the *sacrament* is *null*; as if, in *baptism*, the *water* were hindered from touching the body, then there would be no *baptism*.

2. When the *contract* is *valid*, and made according to the *laws*, then, neither the *con-*
tract

tract nor the *sacrament* can be made void by the fins of the *contractors*.

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3. Marriage is *indissoluble* by the law of God, founded on this divine oracle—*They two shall be one flesh—what God hath joined together, let no man put asunder.*

4. It is contrary to the *law of the gospel*, to say, that a marriage contracted, and *consummated*, can be *dissolved* during the *lives* of the parties; which he proves by the authorities of *St. Austin*, *St. Jerome*, *St. Ambrose*, *St. Chrysostom*, and some other *fathers*.

From these principles he concludes, that a marriage contracted and *consummated*, can never be dissolved, in the case of *adultery*. But he maintains, that, when it is not *consummated*, it is dissolved if either of the parties do enter into a *religious* order, because the person that does so, is *civilly dead*.

FRANCISCUS DE VICTORIA,

Professor of divinity at *Salamanca*, where he died anno 1546.

In a *lecture* on *marriage*, which he composed on occasion of the divorce of the *King of England*, he says—

1. Marriage is an indissoluble contract between *man* and *wife*; and there are two ends of it; the one is, the procreation and education of children; and the other is, the mutual assistance that they ought to give one

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one another; that the *consent* of *husband* and *wife* is absolutely necessary to *marriage*, and to be plain and express *per verba de præsenti*.

2. That *princes*, as well as the *church*, have power to determine obstacles that break *marriages*; but that it is in the *power* of the *church* to take that power from them, and to discharge them to take the concerns of marriage under their cognizance.

3. The obstacles of marriage mentioned in *Leviticus*, are not *all* of perpetual obligation, by the *laws* of God and of *nature*.

JOHANNES COCHLÆUS,

A great writer against the *Lutherans*.—He declaimed boldly against the *impudence* of those, who allowed *priests* and *monks* to *marry*, and all sorts of people to carry away the *spouses* of JESUS CHRIST.

Council of TRENT, begun Dec. 13th,
1545, ended 1563.

This *council* may be said to have finally settled and fixed the *canon* of *Popery*—to have collected together all the *Popish* doctrine relative to the *sacrament* of marriage, *celibacy* of *priests*, *polygamy*, *clandestine marriages*, and *marriage ceremonies*, &c. and to have formed the whole into one connected *system*, which, receiving the *Pope's* approbation, became the rule of *faith* touching these matters,

matters, and remains so in the church of Rome to this day.

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It would extend this work beyond all reasonable bounds, to set down the various arguments, *pro* and *con*, on the several subjects relative to *marriage*, which were solemnly treated at this famous *synod*; they may all be found in *Brent's* translation of "The History of the *Council of Trent*, written in *Italian* by *Pietro Soave Polano*."—Let it suffice that I transcribe the *canons* formed and published on the occasion, as I find them in my author, p. 784.

"The doctrine of the *sacrament* of marriage did contain; that *Adam* did pronounce the *bond* of *matrimony* to be perpetual, and that ONLY two persons may be joined therein; a thing more plainly declared by CHRIST, who also by his passion hath merited *grace* to confirm it, and to sanctify those that are joined; which is intimated by *St. Paul*, when he said that, "this was a great *sacrament* in CHRIST and the church." Whereupon matrimony in the *evangelical law*, exceeding the *antient marriages*, by addition of *grace*, is justly numbered among the *sacraments* of the *new law*. Therefore the *synod*, condemning the *heresies* in this matter, doth constitute the ANATHEMATISMS.—N. B.

"1. Against him that shall say, that matrimony is not one of the seven sacraments

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“ *ments* instituted by CHRIST, and doth not
“ *confer grace.*

“ 2. Or that it is lawful for *Christians* to
“ have *many wives* at once, and that it is
“ not forbidden by any law of GOD.—N.B.

“ 3. Or that only the degrees of *affinity*
“ and *consanguinity*, expressed in *Leviticus*,
“ may nullify the marriage, and that the
“ *church* may not *add others*, or *dispense*
“ with some of *them*.

“ 4. Or that the *church* cannot consti-
“ tute *impediments*, or hath erred in con-
“ stituting them.

“ 5. Or that one of those who are *mar-*
“ *ried* may dissolve the matrimony for
“ heresy, troublesome conversation, or vo-
“ luntary absence of the other.

“ 6. Or that *lawful* matrimony, *not con-*
“ *summated*, is not dissolved by a solemn
“ religious *vow*.

“ 7. Or that the *church* hath erred in
“ teaching, that the matrimonial bond is
“ not dissolved by *adultery*.

“ 8. Or that the *church* doth err in sepa-
“ rating those who are married for a de-
“ terminate or indeterminate time, in re-
“ spect of carnal conjunction or cohabi-
“ tation.

“ 9. Or that the *ecclesiastics* of holy or-
“ der, or professed *regulars*, may *marry*, as
“ also all those who find they have not the
“ gift of *chastity*, in regard that GOD doth

“ not

“ not deny the gift to him that doth demand it.

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“ 10. Or that shall prefer the state of marriage, to *virginity* and *chastity*.

“ 11. Or that the prohibition of marriage, in certain times of the year, is *superstition*, or shall condemn the *benedictions* and other *ceremonies*.

“ 12. Or that matrimonial causes do not belong to *ecclesiastical judges*.

“ The decrees of the *reformation* of marriage did contain,

“ 1. That, howsoever it be true, that *clandestine marriages* have been *true and lawful*, so long as the *church* hath not *disallowed* them, and that the *synod* doth *anathematize* (i. e. curse) him who doth not hold them for such; as also those who affirm, that *marriages* contracted without consent of parents, in whose power the married persons are, are void, and that the fathers may entirely approve or disapprove them, yet the *church* hath ever forbidden and detested them.

“ And because prohibitions do no good, the *synod* doth *command*, that the *matrimony* shall be denounced in the *church*, *three festival days*, before it be contracted, and, no impediment being found, shall be *celebrated* in the face of the *church*, where, the parish *priest*, having interrogated the man and the woman, and heard their con-

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“ sent,

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“ sent, shall say—*I join you in matrimony,*
 “ *in the name of the Father, Son, and Holy*
 “ *Ghost,* and shall use other words ac-
 “ customed in the province.

“ Notwithstanding, the *synod* doth re-
 “ fer it to the will of the *bishop* to omit
 “ the *banns*, but doth declare those to be
 “ incapable of *marriage* who attempt to
 “ contract it without the presence of the
 “ *parish priest*, or another *priest* of equal
 “ authority, and of *two* or *three* witnesses,
 “ making *void* and *nullifying* such con-
 “ tracts, and *punishing* the transgressors.

“ Afterwards it exhorts the *parties* not
 “ to dwell together, before the *benediction*,
 “ and commands the *parish priest* to have a
 “ book, in which marriages, so con-
 “ tracted, shall be written.

“ It exhorts the parties that are to be
 “ married to *confess*, and communicate,
 “ before the *contract*, or *consummation* of
 “ the marriage.

“ It reserveth the *customs* and *ceremonies*
 “ of every province, and will have this
 “ decree to be of force, within *thirty* days
 “ after it shall be published in every
 “ parish.

“ 2. Concerning the *impediments* of
 “ *marriage*; the *synod* doth affirm, that
 “ the multitude of *prohibitions*, did cause
 “ great *sins* and *scandals*: therefore it doth
 “ restrain that of *spiritual cognation*, to that
 “ which the *baptized*, and their parents,
 “ have

“ have with the *god-fathers* and *god-mothers*, and the number of these to one man and one woman only. Ordaining the same about the kindred, which doth arise by the *sacrament* of *confirmation*.

“ 3. It doth restrain the *impediment* of *honesty*, which hath its beginning from contracts, to the *first degree* only.

“ 4. That of *affinity* by *fornication* to the first and second.

N. B. The *Albigenses*, about the year 1175, taught—that, “ the consent of a *willing* couple, without the formality of *sacerdotal benediction*, made a *lawful marriage*.”

The *Lollards*, cent. 14, laid it down as *sound doctrine*, that, “ if a man and woman came together with an *intention* to live in *wedlock*, this *intention* is sufficient, without passing through the *forms* of the *church*.”—See before, vol. i. p. 148, 149, 1st edit.—p. 140, 2d edit.

On the other hand, the *church of Rome*, and more especially after the time of *Pope Innocent III.* converted the above *scriptural* ideas of *lawful marriage*, into the damnable sin of *fornication* and *whoredom*; in this the *Protestants* have followed them. But where is there so much as a glimpse of *scriptural authority* for this? Where can there be found a single *lawful marriage* throughout the whole *Bible*, if the formality of *sacerdotal benediction*, or *passing*

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through the forms of the church, are necessary to constitute it? There is not the smallest trace of any such thing. Therefore, however this piece of *ecclesiastical knavery* may be part of the *craft by which some have gotten their wealth*—yet, as has been shewn at large, as it is subversive of the order of *Providence*—an insult on the truth of *God*—and big with *ruin* to the *weaker sex*, it may be deemed one of the most wicked, dangerous, and destructive impositions, that ever were invented, or forced on the credulity of mankind.

But there is something in the words of this *canon*, as of *others* to the same purpose, which are to be found in the course of the preceding evidence, which evince the nature and force of *truth* — it is like the *sun*; though clouds overwhelm its brightness, and conceal the full blaze of its splendor from our eyes, still it will be perceived sufficiently to make our day—thus will the *truth* of *God*, however darkened by error, shine sufficiently through it, to discover its power and influence on the human mind. Here it has forced the *Papists* into an acknowledgment of it, and such a one as contradicts their whole *system* on the subject of *marriage*. For if this be a mere *nullity* without the *forms* of the *church*, how can it raise an *affinity* between the parties? If it does, what is that *affinity* or *relationship*, but that which the
scripture

scripture hath holden forth to us under the idea of *marriage*? If it does *not*, how can there be any *affinity* reaching between descendents to the *first* and *second* degree, when there was *none* between the *parents* or *ancestors*? The idea of a *nullity* destroys that of *affinity*—and that of *affinity* destroys that of *nullity*. Take the matter either way, it proves that the *truth* was too hard for them, and above their art to conceal *entirely*.

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WHEATLY, on the Common Prayer, edit. 7th, p. 424, tells us, that “*bastard children*” (*i. e.* those born *only* under the law of God and *nature*) “are no more at liberty to marry within the degrees of the *Levitical* law, than those that are *legitimate*” (*i. e.* born of parents joined by *priestly* ceremony.) But why not? If the *marriage* of the parents is a *nullity*, the supposed *consanguinity* or *affinity* between the *descendents* must be a *nullity* also—for out of *nothing* can come *nothing*.

This strange jumble between *truth* and *falsehood*, making the same *marriage* to be so *valid* as to fall within the reach of the *Levitical* law in respect of the issue, and yet such a *nullity* with respect to the parties themselves as to be no better than *whoredom* and *fornication*, is too palpable inconsistency and contradiction to agree even with *itself*, and can never be proved

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to harmonize with the uniform and consistent scheme in God's word.

Mr. WHEATLY, p. 219. concerning the place where the ceremony is to be performed, expresses himself thus—" And " since God himself doth join those that " are *lawfully* married ; certainly the house " of God is the fittest place wherein " to make this *religious covenant*. And " therefore, by the antient *canons* of this " church, the celebration of matrimony " in taverns, and other unhallowed places, " is expressly forbidden." Here he cites an old Popish canon of *Winton*, made anno 1287, which was not long after *marriage* was made a *sacrament*. " And the office " is commanded to be performed in the " *church*, not only to prevent all clandestine marriages ; but also that the sacredness of the place may strike the " greater reverence into the minds of the " *married couple*, while they remember " they make this *holy vow* in the place of " God's peculiar presence."

Thus we see, what *reverence* is to be paid to the *marriage-ceremony*, of man's *invention*, while the *ordinance* of God's *institution* (GEN. ii. 24.) if without the *former*, is dishonoured with the opprobrious stigma of *whoredom* and *fornication*.—Surely nothing but the *impudence* of *Popery* could ever have dared to have set *such* an example of *contempt*.

A Jewish

A Jewish *priest*, under the *law*, who had taken upon himself to introduce an *uncommanded ceremony* into the *temple-worship*, and had so spoken of it, as to endeavour to persuade the people that it was *ordained* of God—and that some other *ordinance*, which was of God, was not to be regarded but as *criminal* without it—would probably have been stoned to death for *sacrilege* and *blasphemy*, by the sentence of the *judges of Israel*.

For my own part, I can find just as much *scripture authority* for changing a *civil contract* into the *form* of a *sacrament*, to be administered, as *such*, by the hands of a *Popish priest*, as for turning it into a *religious ceremony*, to be administered by a *Protestant minister* at the *communion table* in a *church*. And I do believe, that we may venture to suppose, if the *former* had never been *invented*, the *latter* had never been *thought of*.

One thing is very certain, that, they almost *equally* contribute to hide from the eyes of men, the *real nature*, the *true essence*, the *certain obligation*, the *antient simplicity*, and the *appointed efficacy* of the *primary institution*, and thus assist to carry on that scheme of *female ruin*, which evidently results from vacating every *contract* but what arises from their own *authority*.

“ 5. It doth take away all hope of *dispensation*, for *matrimony* wittingly con-

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“tracted in degrees prohibited; and to
“those who have ignorantly contracted,
“without the *solemnities*, in case of proba-
“ble ignorance, a *dispensation—gratis*.

“But to contract in degrees prohibited,
“a *dispensation* shall never be granted, or
“seldom only, for a just cause, *without*
“cost; nor in the *second* degree among
“princes, except for a *public cause*.

“6. *Matrimony* shall not be contracted
“with a woman *stolen* away, so long as
“she is in the power of him that did *steal*
“her; and doth declare those *raptors*,
“and those who do assist them with coun-
“sel, aid, or favour, *excommunicated*, in-
“famous, incapable of all dignity; and
“the *raptor*, whether he marry the wo-
“man or not, shall be bound to give
“her a *dowry*, at the pleasure of the
“judge.

“7. It ordains that *vagabonds* shall not
“marry, without a diligent inquisition
“first made, and *licence* of the *ordinary*,
“exhorting the *secular* magistrates to pu-
“nish them severely.

“8. It doth ordain against *concubinaries*,
“that being admonished *thrice* by the *or-*
“*dinary*, in case they separate not them-
“selves, they shall be *excommunicated*, and
“persevering one year after the censure,
“the *ordinary* shall proceed severely a-
“gainst them; and the *concubines*, after
“three admonitions, shall be *punished*,
“and,

“ and, if the *bishop* shall think fit, chased
 “ out of the territory, by assistance of
 “ the *secular power*. CENT.
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“ 9. It commandeth every temporal
 “ lord and *magistrate*, upon pain of *excom-*
 “ *munication*, not to compel their subjects,
 “ or any others, to *marry*, directly or in-
 “ directly.

“ 10. It doth restrain the antient pro-
 “ hibitions of *nuptial solemnities*, from *Ad-*
 “ *vent* to the *Epiphany*, and from *Ash-*
 “ *Wednesday* to the *octaves* of *EASTER*.”

The *Papists* borrowed many things from the *beathens*, and, among others, the prohibiting *marriage* at certain *religious seasons* of their own *creating*: thus the *Romans* would not permit those days that were dedicated by them to acts of *religion*, to be hindered or *violated* by *nuptial ceremonies*. See WHEATLY on *Com. Prayer*, edit. 7. p. 427.

The *beathens* also were so severe on children's marrying without *consent* of *parents* or *guardians*, as to declare the marriage to be *null*, and the *children* to be *bastards*. The antient *canon law* of the *Greek church*, accounts all *children* who marry without consent of parents, while under their power, to be no better than *fornicators*. The church of *England*, before the *marriage-act*, did not proceed to such *extremities*, though she took all imaginable
 care

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care before-hand to prevent such marriages. See WHEATLY, 427.

After the evidence which has been produced in this *chapter*, of the insolent and daring attacks upon the *divine æconomy*, respecting *marriage*, which were made and carried on for above 1500 years together, to the utter demolition of that *plan* which was ordained by the *Creator*, and by *His command* recorded in the *Hebrew scriptures*, it is to be hoped we shall hear no more of *church-authority* for the truth of any thing which is to be believed upon the subject.

We have been told, “ that the *primary*
 “ *command* of GOD ALMIGHTY, in which
 “ He *ordained* and *blessed* the *increase* of
 “ *mankind*, is antiquated and passed away—
 “ that it does not relate to *Christians*—
 “ that the *intercourse* of the *sexes* is *evil* in
 “ itself—that *marriage* was the conse-
 “ quence of *sin*—that *celibacy* makes men
 “ like *angels*, and, that in comparison
 “ thereof, *marriage* is *sinful*—that all *se-*
 “ *cond* marriages are no better than *forni-*
 “ *cation*—that those who do not *marry*
 “ according to the *laws* of the *church*,
 “ live in *whoredom*, if they cohabit toge-
 “ ther—that a new ordinance of *marriage*
 “ was ordained by JESUS CHRIST, appro-
 “ priated to *Christians*, and that the *divine*
 “ *æconomy* respecting the *commerce* of the
 “ *sexes*, as revealed by *Moses*, is totally
 “ vacated

“ vacated and destroyed by the *law of the*
 “ *gospel*—that when the race of mankind
 “ was to be increased, before the coming
 “ of the *Messiah*, marriage was to be sought
 “ after, and even *polygamy* allowed; but now
 “ it is forbidden—that *celibacy* and *virginity*
 “ ought to be looked upon as the highest de-
 “ grees of perfection—that, next to this, is
 “ the total *abstinence* of persons who are
 “ *married* from each other.”—These most
 notorious and horribly-destructive *lies*, with
 as many more as would fill a *Winchester*
 bushel, may be picked out of the preced-
 ing evidence, and may serve to shew us
 how the *credulity* of one part of the world
 can be imposed on by the *knavery* of the
 other—and, consequently, how careful we
 should be, of adverting to any other autho-
 rity for what we believe, *than* God’s
 WRITTEN WORD.

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In short, the *Christian* fathers, &c.
 seem to have endeavoured to contrive a
religion of their own, as unlike that of the
Bible as they possibly could; insomuch
 that JEHOVAH might well complain of
 them as of revolted *Ephraim* (Hos. viii. 12.)
 and say—I have written to them THE
 GREAT THINGS OF MY LAW, *but they*
were accounted a strange thing.

The TWO GREAT COMMANDMENTS,
 on which hang all the LAW and the PRO-
 PHETS, contained nothing favourable to
clerical ambition, pride, and covetousness,
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and those more *particular* precepts, which were derived from them, were too inconsistent with the views of the *clergy*, to maintain their weight and consequence among them—therefore neither *root* nor *branch* were spared, but destroyed by a series of *traditional* imposition on the minds of men, till the *laws* of the *church*, and not the *laws* of JEHOVAH, became the measure and rule of right and wrong. *Christianity* was not looked upon as the unfolding and completion of the mind and will of JEHOVAH, as revealed and promised in the *Hebrew* scripture, directing us to make His *laws* our *rule*, His *word* our *guide*; but as a *system* independent of every thing but *itself*, which was to be fashioned and formed into as many shapes as the imaginations of *churchmen* could give it, and as best suited to promote their total ascendancy over the human *understanding*, their entire dominion over the *conscience*, and their uncontrollable disposal of the *persons* and *properties* of mankind.

The antient and perfect *law* of JEHOVAH, which He, in His infinite *wisdom*, ordained for the moral government of His reasonable creatures, was too inimical to the designs of *ecclesiastical* fraud, deceit, and violence, to gain an admission into the *plan*, either on the subject of *marriage*, or any thing else. — “ Thus saith the
“ *church*,”

"*church*," was the warrant for men's belief; and those who opposed this, were certain to suffer every pain and penalty, which the meanest and most wanton cruelty could suggest:—while wilful *murder*, *adultery*, *sodomy*, crimes made *capital* by the law of God, were absolved on a few years *penance*.

Such was the state of our *national Christianity*, at the beginning of the *reformation*—the *reformers* once more brought the scriptures into view, with what success, as to the matters which are the subjects of these *volumes*, will be considered in the following *chapter*.

C H A P. XIII.

*Observations on the foregoing—applied to the
Subjects of this Treatise.*

HAVING now, by a long induction of particulars, shewn how the simple ordinance of marriage, and the CREATOR'S whole plan for regulating the commerce of the sexes, have been taken out of *His hands*, into the hands of men, who have dared to throw aside those laws which the MOST HIGH established for the propagation, continuance, and preservation of the human species—and more especially for the protection of female chastity, from the ravages of ungoverned and intemperate lust—by vacating all obligation between the sexes, but what arises from human contrivance—it may not be improper, in this place, to make such remarks upon the evidence, as will demonstrably shew, that our whole plan is founded in error, and originates in the usurped power of *Popish churchmen* over the commandments and ordinances of JEHOVAH, as by him delivered in his MOST HOLY WORD.

It will then follow, that those miseries of the female sex, which have been so largely spoken of in the preceding volumes, and which it is the author's grand end and aim to prevent, or remedy, on the basis of the divine law,

law, are the natural and inevitable consequences of *Popish usurpation* over the understandings and consciences of mankind, and of the abolition of that *holy system* of security and protection to the *weaker sex*, which is afforded them by the solemn and unalterable statutes of *Heaven*.

As in what concerns the rest of the *universe* in general, so with respect to the *human species*, the *laws of Heaven* are *simple*, unmixed with dark and hard *speeches*, conceived in words clear, plain, and easy to be understood: there are no *sophistical* distinctions about what *is* or *is not* a *marriage contract*, thus leaving so important a concern vague and indeterminate, as to the matter or essence of it in God's sight; there is nothing, in this respect, said about *priests*, *surplices*, *altars*, *churches*, *bells*, *mass-books*, *banns*, *licences*, *dispensations*, outward religious *rites* and *ceremonies*, or of any one requisite to marriage but the CREATOR'S own *appointment*.

Therefore, whether these things were invented by *Popes*, *Councils*, *Synods*, or other human power in the *church of Rome*—or adopted by *John Doe* and *Richard Roe*, as requisites in the *Reformed churches*—they are equally out of the question, and can no more affect the validity and obligation of God's *ordinance*, than they can controul the course of the *sun*.

The general command, when God blessed the *male* and *female*, and said—"Increase and multiply"—was evidently to be done in
a way

a way which the CREATOR himself was to appoint; no device whatsoever of the *creature* could any more interfere in this, than in the disposal and government of the *universe*.

That which was to be the *efficient cause* of *propagation*, was to be also the *matter* of indissoluble union between the *male and female*; so as to make them *one flesh*, and to create an *affinity* or *relationship* between them, even above and beyond that of parents and children.—Gen. ii. 24.

Thus the matter *stood* on the *original institution*—but as the human race increased, it seemed good to *infinite wisdom*, to make such regulations as should obviate the sad consequences of men's forgetting the strictness of the *matrimonial union*, and taking upon themselves to *dissolve* its *obligation*. The seduction of *virgins*, and then forsaking them for others, must be attended with consequences of the most fatal kind to *themselves*, as well as to *society*, in the confusion that would be occasioned, not only with regard to the property of the women, but also as to their issue—it was therefore ordained, that wherever the *marriage-union* had passed, it * must continue; the man could not forsake the woman, nor the woman give herself to *another*, during the first man's life—whether the man, taking the *virgin*, was before in possession of *another* or not, it made no differ-

* The *author* must be supposed to except such cases as are excepted by THE LAW. See, for instance, LEV. xviii. 6—18.

ence in these respects, he having become *one flesh* with her, made her his unalienable property from that moment, and it was not only forbidden him to *put her away*, but she was to be *put to death* if she went to *another*; and any man who took a woman that had become another man's property, was also to suffer *death*. Thus were *adultery* and *whoredom*, *seduction* and *prostitution*, provided against IN THE MOST EFFECTUAL MANNER.

Thus also was a line drawn, which none could pass with impunity; and, that it might be thoroughly understood, it was delivered to *Moses* by *JEHOVAH*, and afterwards committed to writing, for all future generations, in that sacred and indelible system of *divine jurisprudence*, which bore the most SOLEMN COMMAND, that none should *add to it*, nor *diminish from it*.

Such was the *law* of that *kingdom*, which God established over *Israel*, when he delivered them out of *Ægypt*—bore them on *eagles wings*, and brought them to himself.—See *Exod. xix. 4, 5*; where the *LORD* says—*Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine.*

What the *Jews* suffered for not obeying God's voice in his *commandments*, their history informs us, and our own daily observation, on their present situation, evidently shews us.

When it pleased God, *in the fullness of time*, to take out of *the Gentiles* a people for his

name (Acts xv. 14.) by *sending his own Son, JESUS CHRIST, to redeem them from all iniquity, and to purify to himself a peculiar people zealous of * good works*—one capital and gracious promise of the covenant ran thus—
 “ *I will put MY LAWS into their minds, and*
 “ *in their hearts will I write them. I will be*
 “ *their GOD—and they shall be my people.* See Jer. xxxi. 33.—As in another place he says—*I will call them my people that were not my people*—Hof. ii. 23. Rom. ix. 25, 26.—His LAWS then, *put into their minds, and written in their hearts, were to be the statutes of that kingdom within them*—see Luke xvii. 21.—of which the LORD HIMSELF was to be SOVEREIGN.—No other *laws* do we ever hear mentioned, as the *rule of their obedience*, but the ROYAL LAW (see James ii. 8.) which had once been delivered by JEHOVAH, in all the awful majesty of GODHEAD at Mount Sinai.

JESUS, the great prophet like unto Moses—(see Deut. xviii. 15. Acts iii. 22.)—preached these *laws*—declared that *not a jot or tittle should pass from them—that he who broke the least of them, and taught men to do so, should be called least in the kingdom of heaven.*

Notwithstanding all this, as the Jews had made void these *laws* by *their traditions*, the Christians, as we have seen, soon began to tread in their steps, and to set up a *kingdom of this world*, which they called the *church*, over which *man*, not GOD, was to govern; and in which, not GOD's *laws*, but *man's devices*,

* See Tit. ii. 14.

were to be the rule of obedience. The consequences of this may be seen in the foregoing pages of this *volume*, and the dreadful effects are felt, severely felt, by thousands to this hour.

There arose men, who, under notions of *piety* and *purity*, found fault with every thing God had done, with respect to peopling the world; and plainly give us to understand, that if *they* had been to contrive the matter, they would either have done it by some other method, or have put an end to the human race. God had said—"Increase and multiply"—this they were for confining to the times of the *Jewish* dispensation, and exhorted *Christians* to live in *celibacy*, assuring them that this was "as far above *marriage* as the " *heavens were higher than the earth.*"

"Some there were of the most eminent " *bishops*, and most zealous *Christians*, who, " having imbibed the *philosophers* opinions " and prejudices against *marriage*, as an estate " in itself *unclean*, and so troublesome, that " it was utterly inconsistent with an *holy* and " *speculative* life, did ever retain such an antipathy against it, especially in the *clergy*, " that they were inveighing against them " that were *married*, insomuch that they " brought it into general dislike."—See *Du Pin*, Cent. vii. p. 9. n. " The council of " *Eliberis*, anno 305, can. 33, actually decreed against *priests* marriage. Ib.

However, with regard to the *laity*, in order to sanctify the *unclean* as well as they

could, they invented *priestly benediction*, where people *married* but *once*; as for marrying a *second* time, it was called—"only a more specious and decorous kind of *adultery*"—and *priests* were forbidden so much as to be present at *second* marriages—which, by the way, proves that *marriages* were yet looked upon as *valid*, without a *priest*, only they were deemed *unholy*, as wanting the *benediction*.

In process of time, this *benediction* of a *priest* paved the way for other religious *forms of words*, and farther *ceremonies*. The reader may easily acquaint himself with their progress, by reviewing the state of the preceding evidence—Chap. xii.

At length, the *laws* of *JEHOVAH*, which held forth the primary *institution*, in its whole *nature* and *essence*, as making the *male* and *female* *one flesh*, and as conveying an exclusive property to the man in the *woman*, by the *simple ordinance* set down Gen. ii. 24. were so far laid out of the question, as not only to establish *no obligation* whatsoever, simply on the footing of the *CREATOR'S OWN FIAT*; but *This*, without the *ceremonies* which the *church* had invented and imposed, was stamped with *infamy*, called *fornication* and *whoredom*, and as such is looked upon in the *Christian church* to this hour!

That this was not effected, but by slow degrees, is very apparent from what passed in the *fourth century*; when *Constantine*, who was a great favourer of the *views* of the *clergy*, as well as a great promoter of their
power,

power, enacted a law to discourage *concubinage*, and to promote *matrimony*, as they* called it; which law provided for the legitimacy of *ante-nuptial* children, i. e. such as were born of parents who had lived together simply on the footing of God's *own institution*, and whose children began to be deemed *bastards*. —“The *church*,” it is said, “meddled not with these distinctions of the *civil laws*, but, regarding only the law of nature, *ap-* proved every conjunction of one man with a woman, if it was with one woman, and perpetual; and the more so, because the holy scriptures employ the name of *wife* and of *concubine* indifferently.” See before, vol. i. p. 31, n. 1st edit.—p. 32. 2d edit.

By what has been said, it appears, that the notion of the unlawfulness of *second marriages* had taken deep root, and that *polygamy*, of course, was indiscriminately banished from the *Christian* plan of marriage—but, that *priestly benediction*, and religious ceremony, were by no means then established, as of the *essence* of the *lawful* conjunction of the *man and woman*.

As *churchmen* increased in *power* and *wealth*, the love of *both* increased; in every age; and, as we have already seen, by the most pregnant testimonies, *marriage* was entirely taken, as it were, out of God's hands, into the hands of *churchmen*; the *Hebrew* scriptures, relative to the *commerce of the sexes*,

* The word *matrimonium* was borrowed from the *Heathen*.—See AINSWORTH—sub voc.

for certain very *cogent* reasons, laid out of the case; and what the *Popes, councils, synods,* and *human laws* determined to be *marriage*, was *marriage*; what they determined to be *whoredom* and *fornication*, was so; what they determined to be *bastardy*, was *bastardy*; but what God had determined to be, or not to be, any of *these*, signified no more than if He had never determined any thing about the matter.

The great affair of all was the invention of *Peter Lombard*, when he found out *marriage* to be a *sacrament*—this was the means of throwing it entirely into the hands of the *priests*, and making it an object of the jurisdiction of *ecclesiastical* judges. It gave the *churchmen* a power of *celebrating* it with what *rites* and *ceremonies* they thought proper, and to declare, that, on no *other* terms than what they had invented, could the parties be *man* and *wife* in the sight of God—so that all this may be deemed *pure, true, and genuine* POPERY—which, by leaving men and women under no obligation to each other, but on the footing of what was afterwards finally determined and settled at the *council of Trent*, has opened that door to *female ruin*, which, in all its increasing horrors, is so peculiarly the *disgrace* of all *Christian* countries in general, and of this in particular, as to call aloud for the restoration of the *divine law*, which is the only means of putting a stop to it.

As for the *reformed* church of *England*, it owns but *two sacraments*, and of course does
not

not call *marriage* by that name; but when we consider, that our “*form of solemnization of matrimony*” was compiled in the days of *Edward VI.* by men who had been educated in the *church of Rome*, and who must have had their minds prejudiced and deeply tinctured with the *Popish* ceremonies, we are not to be surprized that our *ritual* and that of the *Romish* church should bear so strong a resemblance.

It is to be administered by a *priest*—in a *surplice* (*superpellicio indutus*, says the *Popish* rubric)—in the *church*—at the *communion-table*—“the man and woman are to kneel down before the *LORD's table*” at a certain part of the *service*—“*Sacerdos jubeat eos invicem jun- gere dextras, dicens—Ego conjungo vos in matrimonium, in nomine Patris, & Filii, & Spiritus Sancti. Amen.*” *Rom. Rit.* “Then shall the *priest* join their right hands together, and say—“Those whom God hath joined together, let no man put asunder—I pronounce that they be *man* and *wife* together, in the name of the *Father*, and of the *Son*, and of the *Holy Ghost*. *AMEN.*” *Ch. of Engl.*

The reason which the council of *Trent* gave for the use of these words, was, that—“in a short time it might become an *article of faith*, that *those words*, pronounced by the *parish-priest*, were the *form* of the *sacrament*.”

Now, if an honest *Quaker* was to say to me—“Friend, thou dost not allow *marriage*

“ to be a *sacrament*, that is, thou dost not
 “ call it by that name; but, how dost thou
 “ distinguish thy proceedings from those of
 “ the *church of Rome*? how dost thou, as to the
 “ *thing itself*, call it by what *name* thou wilt,
 “ make more or less of it in reality, than hath
 “ been made by the *council of Trent*?”—I do
 confess, that I know not how I should get
 rid of my *plain friend*, unless he would be sa-
 tisfied with a *quibble*, instead of an *answer*, or
 with a *distinction*, without *difference* enough
 fairly and substantially to warrant it.

Were he to press me farther upon the sub-
 ject of *banns*, *dispensations*, and *licences*, or to
 ask me to produce an authority from God’s
 word for our *ritual*, or almost any thing be-
 longing to it, I must turn him over to *popes*;
councils, *fathers*, &c. and get out of his way
 as fast as I could, or else endeavour to silence
 him, by telling him, “ that the aforesaid
 “ *ritual* is part of the *law of the land*, esta-
 “ blished by *act of parliament*, and is also
 “ guarded by a *canon*, loaded with excom-
 “ munication *ipso facto* against all impugners
 “ of it.”—To this he might reply, that “ in
 “ the days of *Henry the king*—it was made
 “ *felony* for our *priests* to *marry*—to deny
 “ *transubstantiation* was *burning alive*, with
 “ forfeiture, as in cases of high treason; but
 “ these were ungodly laws, and therefore
 “ were repealed, and so ought all other *laws*;
 “ which, like them, oppose the truth of the
 “ scriptures, or lead people into *error and*

“ *superstition*, by hiding from them the true
“ *nature* and *obligation* of *God’s institu-*
“ *tions.*”

The *Romish* ritual is in *Latin*; which, rendered into *English*, begins thus—“ The *parish*
“ *priest*—*parochus*—who is about to celebrate
“ matrimony (publication of *banns* having been
“ made on *three festival days* as before said)
“ if no lawful *impediment* hinder, shall come
“ into the *church*, cloathed in a *surplice* (*superpellicio*) and *white robe* (*albâ stolâ*) taking with him at least *one clerk*, who may
“ bring the *book*, and a vessel of *holy water*
“ with a *sprinkler*, before three, or two, witnesses, shall ask the man and the woman
“ (who for decency should be attended by
“ their relations or neighbours) concerning
“ their consent, severally, in this manner, in
“ the vulgar tongue.

“ N. wilt thou take N. here present, for
“ thy lawful wife, according to the rite of
“ *holy mother church*? The man shall answer—I will, &c. &c.

“ Then the *priest* is to *sprinkle* the parties
“ with *holy water*; then he is to *bless* the *ring*,
“ and *sprinkle* it with *holy water* in the form
“ of a *cross*; and the bridegroom, receiving
“ the ring from the *priest*, is to put it upon
“ the *fourth* finger of the woman’s *left*
“ hand” (*Digito annulari*—a phrase borrowed from the *Heathens*, as the *custom* itself * was)

* See *Thelyph.* vol. ii. 203, n. 2d edit.—p. 222—3, n. 1st edit.

“ the

“ the priest saying—In the name of the *Fa-*
 “ *ther*, and of the *Son*, and of the *Holy*
 “ *Ghost*.”

—The nuptial ceremony among the *Hotten-*
tots is as follows—“ The men squat them-
 “ selves on the ground in a circle, all but
 “ the *bridegroom*, who squats in the center.
 “ The women, at some distance, squat them-
 “ selves likewise in a circle about the *bride*,
 “ who likewise squats. Then the *priest*, or
 “ master of the *religious* ceremonies, who is
 “ always that of the *kraal* where lives the
 “ *bride*,” (and so may be styled *parochus*)
 “ enters the circle of the men, and, coming
 “ up to the *bridegroom*, *waters* upon him a
 “ little—the *bridegroom* receives the *stream*
 “ with much eagerness, rubbing it briskly
 “ all over his body, and making with his
 “ long nails several deep scratches in his
 “ skin, that the *urine* may penetrate and
 “ soak the farther. The *priest* then goes to
 “ the circle of the women, and coming up
 “ to the *bride*, *waters* a little upon her; she
 “ receives and rubs the *urine* upon her body,
 “ with as much eagerness as the *bridegroom*.
 “ Then goes the *priest* again to the *bride-*
 “ *groom*, and having *watered* a little more
 “ upon him, away he goes again to the
 “ *bride*, and again *waters* upon her. And so
 “ he goes from one to the other, till he has
 “ exhausted upon them his whole stock of
 “ *urine*, uttering from time to time to each
 “ of them, one of the following good
 “ wishes,

“ wishes, till he has pronounced the whole
 “ upon them both.—“ *May you live long and*
 “ *happily together.*—*May you have a son be-*
 “ *fore the end of the year.*—*May this son live*
 “ *to be a comfort to you in your old age.*—
 “ *May this son prove a man of courage, and a*
 “ *good huntsman.*”——This is the whole of
 “ the nuptial ceremony; after which the
 “ whole company rise, and prepare for a
 “ feast.” See *Kolben, Cape hist. vol. i.*
 p. 153.

Now, I do not suppose that the reader can
 peruse this account of so filthy, so ridicu-
 lous, so absurd a *ceremony*, without laughing,
 and feeling in his mind a most sovereign
 contempt for a people seemingly so lost to
 the possession of common *reason*. But this
 is not the case; there are doubtless as wise
 and understanding men among the natives of
 the *Cape of Good Hope*, as among the *Euro-*
peans (why should there not?—“ *God hath*
 “ *made of one blood all nations for to dwell on*
 “ *all the face of the earth.*”)—Their fond-
 ness and respect for so beastly and absurd a
ceremony, does not therefore proceed from a
 want of *natural reason*, but, from a prostitu-
 tion of their rational faculties, to a certain
 thing called *superstition*; which, under the
 auspices of another certain thing called *priest-*
craft, puts *Christians* and *Hottentots* upon a
 level, as to a blind submission of their under-
 standings and consciences to those who have
 been artful enough to gain an entire ascen-
 dency

dency over them. *Lord Peter's holy water* has no more to do with God's ordinance of marriage, than the *Savage's urine* has; but neither the *Hottentot* nor the *Papist* will acknowledge that they are mistaken; and I should suppose, that a man would stand as bad a chance for his *life* in a *Kraal* at the *Cape*, as in the *Holy Inquisition at Rome*, were he to say, in either place, what I have said upon the subject.

The *Hottentot andersmaken*, it must be confessed, is not quite so cleanly as the *Papist's ritual*; but it has this advantage over the latter, that it is not *lying in the name of the LORD*;—it is not a professed *imposition* upon the *minds of men*, in the very face of God's revelation—it is not an unauthorized use of that *venerable and holy name* of the LORD OUR GOD, in order to make men believe, that *marriage* is, what God has never made it—“a *sacrament*, ordained by *Christ*—appropriated to *Christians*.”

Perhaps my *Quaker-friend* might here remind me—“thou shouldst not throw *stones*, for *thine house* is also made of *glass*.”

In short, wherever the *simple ordinance* of God is obscured, so that men are kept in the dark as to its nature and obligation—wherever those wise and holy *laws*, which God hath made for the preservation of his creatures from *mischief* and *ruin*, are suspended, on some terms and conditions of human invention, so that they cannot operate, or answer

swer the ends for which they were revealed—wherever an *human ceremony* is imposed upon the understandings of mankind, as that, without which, the positive institution of God ALMIGHTY is *null and void to all intents and purposes whatsoever*—it makes little difference, by what *name* the obstacle be called, or by *whom* invented; it is an insolent attack upon the *divine sovereignty*—a daring invasion of the *divine prerogative of legislation*—a downright and open *rebellion* against the *majesty* of God—and, whether this be done by *Christians*, on this, or on the other side the *Tyber*—

Tros, Tyriusve, mihi nullo discrimine agetur. Virg.

We have seen, in the long detail of the foregoing evidence, some dreadful *mischiefs*, which have attended the unnatural opposition, raised against the *primary decree* of Heaven, relative to the *propagation* of the *human species*.—The *celibacy* of the *clergy*, being contrary to *nature* itself, as well as to *scripture*, produced *evils* of the most *horrible* and *destructive* kind — this may be concluded, from the many *canons* we find against *sodomy*, *child-murder*, either by causing *abortion* or *otherwise* — likewise, the frequent mention of the crimes of *adultery*, *whoredom*, and *fornication*, particularly charged *on the clergy*, as also of *bastards* being excluded from holy orders, and the like.

These are standing proofs of the * mischiefs
which

* The *Wickliffites* or *Lollards* as they were called, endeavoured to get their doctrine approved by *parliament*,
and

which ensued from men's inventing *schemes of holiness and purity*, in order to maintain which, the *word of God* was thrown aside, and the *wisdom* of man exalted in its place. The *union of the sexes*, though ordained of God, as that *institution* by which the world should be peopled, was stamped with a degree of *infamy*, as *impure* in itself, and causing a defilement in those who engaged in it, unless *priestly benediction* and religious ceremony interposed: and even here, it was still too *impure* to be engaged in by those who ministered in holy things; and therefore forbidden to the *laity*, without the purification of *holy water*, &c. and forbidden to the *clergy* entirely.

Impediments to marriage, which are mentioned in God's law, were dispensed with—others were invented, which God's law never mentions, and made the grounds and causes of dissolving *marriage*—such as between god-

and in 1395 presented a remonstrance to the House of Commons, containing many articles, one of which was—"that the *celibacy* of the clergy occasioned many scandalous irregularities in the church"—another was—"that the vow of *single life*, undertaken by women, was the occasion of numberless disorders, and of the *murder* of multitudes of *children* unbaptized, and even unborn." Rapin, vol. i. 481.—Qu? Where is there any thing in the scripture which authorizes bringing women under such a state of bondage to *fear* and *shame*, as to induce them to *murder* their *children*, in order to conceal their *pregnancy* or *delivery*? No such thing was ever known or heard of in the *church of God*, 'till lyes and fictions took place of the *divine law*; when *celibacy* was preferred to *marriage*—and *marriage* itself only allowed under such *terms* as men invented, and imposed on their fellow-creatures.

fathers

fathers and god-mothers at baptism or confirmation—relatives to the seventh degree—and even as far as any relationship could be traced—a man's having another wife living, though she was under circumstances, by which every end of marriage was prevented—the apostle's rule was inverted, it was no longer better marry than burn, but better burn than marry—thus were the Christians laid under a yoke to which the Jews were utter strangers, and were taught to believe, that, whatever marriage was by the Mosaic law, it was now totally altered; it was “a sacrament, instituted by Christ, and appropriated to Christians”—a law of the gospel, was to supersede the law of JEHOVAH as delivered at mount Sinai, and, in short, marriage was to be what churchmen, from time to time, were pleased to make it; for which, after some faint attempts to justify their proceedings, by, what they styled, “the new evangelical law,” they fairly and honestly avowed the power of the church, i. e. of the Pope, and his coadjutors, the cardinals, archbishops, and bishops in council assembled, to be paramount to all other power whatsoever; they trampled all laws, divine and human, under foot; and not what God had said in his WORD, but what the church had said in its canons and decrees, was the rule of faith and manners.

There is a passage in the *Turkish Spy*, on the innovations which human imagination, and church power, introduced in the place of God's laws, which I shall make no apology for

for quoting on this occasion, as its subject-matter, and the reflections with which it concludes, are much to our purpose, and well worthy our observation.

“ By the very same rule, they introduced
 “ the use of *images* and *pictures* in their
 “ *churches*; and the vestments of their *priests*,
 “ the ornaments of the *altar*, the *tapers*,
 “ *lamps*, *incense*, *flower-pots*, and other religi-
 “ ous gaities, were fashioned according to
 “ the *patterns* they received from the *priests*
 “ of *Jupiter*, *Apollo*, *Diana*, and the rest of
 “ the *beathen deities*. Hence, the festivals of
 “ the *gods* and *goddesses* were turned to holy-
 “ days of *saints*; and temples, before conse-
 “ crated to the *sun*, *moon* and *stars*, were afresh
 “ dedicated to the *apostles* and *martyrs*.

“ Thus the very *Panttheon* itself in *Rome*,
 “ or *temple of all the gods*, in process of time,
 “ by an *ecclesiastic* dexterity, was converted to
 “ the *church of all saints*.—In a word, *Chris-*
 “ *tianity* in all things seemed no other than
 “ *Gentilism* in disguise. And it must be thought
 “ a *pious fraud*, thus to wheedle so many
 “ millions of *sinners* into the bosom of the
 “ *church*, whether they would or no.

“ Oh *father William*! dost thou not blush
 “ at these trivial excuses, for the manifest
 “ violation of the laws of *God*? Can man be
 “ wiser than the *Omnipotent*? Or will he pre-
 “ sume to correct the ways of *HIM* that is
 “ PERFECT IN KNOWLEDGE? Is the true
 “ religion to be propagated by imitating the
 “ idolatrous rites of *infidels*? Or by profti-
 “ tuting

“ tuting the sacred injunctions of Heaven
 “ to the caprices of human policy? Did any
 “ wise *law-giver* condescend to alter and new-
 “ model his laws, to humour a peevish cap-
 “ tious subject? Would he *add*, or *diminish*
 “ any thing for the sake of gaining a faction
 “ or party? and can we think, that God
 “ ever designed, to have His *divine laws*
 “ garbled and mixed with profane *indul-*
 “ *gences, dispensations*, and amendments of
 “ *mortals*? As if He had been *ignorant* what
 “ he did, when He divulged his *statutes*, and
 “ wanted the *counsel* of his *creatures* to help
 “ him out at a *dead lift*.

“ Was that tenderness only to be shewn to
 “ the *Jews* for a time? And were they, for
 “ ever afterwards, to be scandalized? In vain
 “ does the *church* daily pray for the conver-
 “ sion of that people, whilst by her *doctrines*,
 “ and daily *practices*, she hardens them more
 “ in their *infidelity*.” *Turkish Spy*, vol. vii.
 p. 304, 305.

Though it be evident from the scriptures
 (comp. Isaiah vi. 9, 10. with Acts xxviii.
 25, 26, 27.) that the rebellious obstinacy of
 the *Jews* provoked God to leave them under
 a *judicial blindness*, yet one *mean* of fastening it
 upon them is, the *doctrine* and *practice* of
Christians. What must a thinking *Jew* con-
 clude, from an *auto de fé*, where he sees, not
 only the disciples of *Moses*, but those also who
 are the professing disciples of *Jesus*, bound
 in one *chain*, tied to one *stake*, and tormented
 in the same *flame*?—what, when he reads of

the *massacres* of *Paris* and of *Ireland*?—what, when he is told, that, above a *million* and an *half* of reasonable and innocent creatures, including all *ages*, *conditions*, and *sexes*, have drenched the earth with their *blood*, and all this, because they refused to worship a piece of *wafer* or a log of *wood*—or to acknowledge the traditions and doctrines of men, as above the testimony of the scriptures?

How should the *Jews* ever give credit to a *system*, which contradicts their antient scriptures? which lays the *holy laws* of their *Pentateuch* in the dust, and treads under foot the *awful majesty*, the supreme and unrivalled *sovereignty* and *authority* of *JEHOVAH*? which tells them, they must renounce their *LAW-GIVER*, *LORD*, and *KING*, (see *Isaiah xxxiii. 22.*) and listen only to *men* who have overturned the whole fabric of their *æconomy*, with respect to *marriage*, and destroyed those *bulwarks* which the *God of Israel* raised, for the security of their *wives* and *daughters* from *seduction* and *prostitution*?—that the protection of *female chastity*, which their forefathers experienced, is no longer the object of divine legislation; but, that every man is now at liberty, to ravage, as he can, upon the *weaker sex*, no *responsibility* left, no obligation created, no justice exacted?

How can they endure to hear the taunts of *Christians*, on their antient *statutes*?—or bear with *patience* to hear the *Christians* speak of their honoured and venerable *ancestors*, as *adulterers*, *whoremongers*, and *debauchees*?—licen-
tates

tiates in *sin*—tolerated in forbidden lewdness by their God—worthy the stroke of vengeance; and only spared from it by *divine connivance*? All this, and more, they must be content to hear, and to submit to, or they must keep out of the reach of *Christian* churchmen, or shut their ears and hearts against them.

So that while *Popish canons*, and *human laws*; are to lay down principles on which the regulation of the *commerce of the sexes* is to depend; we can entertain no great hopes of *men*, who, from the giving of the law at *mount Sinai* to this hour, have known no other *system* than that delivered by *Moses*, and acknowledge no appeal from their antient *scriptures*, to the more *modern inventions* of the *Christians*.

Another *article*; established on the foregoing evidence; is the indiscriminate prohibition of *polygamy*—this appears in several of the *canons* which have been cited, and at last, by the *council of Trent*; cent. 16. finally laid under a *judicial curse*. So that, no *necessity* of *circumstances*, no *situation* into which a man already married can be brought—his *wife's* insanity—distemper of body or mind, or other *unavoidable* deprivation of her *society*—can turn the point-blank of this dreadful *canon* from the unhappy objects of its vengeance.—The *Protestants* have added to the terror of this piece of *artillery* a *penal statute*; by which *polygamy*, under what circumstances of *necessity* soever, is prohibited on pain of *death*.—The *debauchery* of the *wives* of *others*, the *seduction* and ruin of *virgins*, the incentives to

procuring *abortion*, the *murder* of *new-born infants*, though notorious consequences of *priestly celibacy*, cannot prevail on their fellow-creatures to suffer them to *marry*; and all these, though consequences equally of that *factitious celibacy*, which arises from an *indiscriminate* prohibition of *polygamy*, cannot prevail for the repeal of that *law*, which makes it a *capital felony* for a man to do, what God not only *allows*, but in many cases *commands*, (see *Exod.* xxii. 16. *Deut.* xxii. 28, 29.) Add to all this, the driving men into *fornication* with *barlots*, or into other nameless and numberless *inconveniences*, which *drown them in destruction and perdition*. This is a *tyranny* over the consciences of men, well worthy the *Popish* inventors of it. It was altogether unknown to the *antient people* of God, who lived under the immediate government of the *DIVINE LAW*.

But here methinks I hear a *Jew* say—
 “ Our *law* has an especial care of *population*,
 “ and provides against the *extinction* of fami-
 “ lies by *barrenness*.—Our father *Abraham*
 “ married *Sarah*, but finding she was *barren*,
 “ he took *another wife*, that he might have
 “ *children* by her, and this by the persuasion
 “ of *Sarah* herself.—Our father *Jacob* also
 “ did the same at the persuasion of his wives
 “ *Leah* and *Rachel*.”—See *Gen.* xvi. 2. xxx.
 3. 9. “ All this is very true, answer I; but
 “ if *Abraham* had lived among *Christians*, one
 “ *sect* of them would have *curst* and *excom-*
 “ *municated* him, another would have *hanged*
 “ him,

“ *him*, and sent him to the *devil* into the bargain; and so they would have served his grandson *Jacob*, and, for aught I know, *half his generation*.”

Another observation is also to be made, as resulting from the foregoing evidence, and that is, on the subject of *concubinage*. When *Bucer* says—“ *legitimæ etiam erant uxores*”—“ They were also *lawful wives*”—I firmly believe him, because the HEBREW SCRIPTURES mention them as *such*.—As for the NEW TESTAMENT, I do not find any thing said about them. The word *παλλακη*, which the LXX use for the Hebrew *פילגש*, and which we render *concubine*, does not once occur—therefore this matter must be confessed to stand *singly* and *merely* on the scriptures of the Old Testament.

The *church*, in the days of *Constantine*, clearly held, that “ the scriptures used the “ word *wife* and *concubine* indifferently,” and therefore they would not enter into the distinction which that *Emperor* was making, between *marriage* and *concubinage*—the council of *Toledo*, anno 400, were of the same opinion—and *St. Augustine* also, who is styled the *father of the Latin church*, did not differ from them.—See before vol. i. 32, n.

As the church grew more *corrupt*, and *churchmen* more insolent, and more ambitious of increasing their dominion over the minds of men, they confounded all scripture definitions and ideas of things; and suffered the people only to *think* as they *would have them*,

and as might best serve for the advancement of *priestly* power. The poor *clergy*, who were forbidden to *marry*, endeavoured to find a refuge in *concubinage*, or living with women which they took as *wives*, but without the *forms* which had been arbitrarily introduced into the *church*—however they were driven out of this, the practice itself *condemned*, by several *canons*, and, by little and little, *concubinage* was looked upon as infamous, and at length deemed no better than *whoredom* and *fornication*.

That *polygamy* and *concubinage* were both *dispensations* of God, both *modes* of *lawful* and *honourable marriage*, is a proposition as clear as the *Hebrew scriptures* can make it—That *polygamous* and *concubinary* contracts are deemed by the *Christians* null and void, and stamped with the infamy of *adultery* and *whoredom*, is as certain as that the *canons* and *decrees* of the *church of Rome* * made them to be so.—The

* Our having learned from the *Papists*, to call *polygamy*, *adultery*, and *concubinage*, *whoredom* and *fornication*—reminds one of the *wisdom* of that sapient and worthy *Town-clerk*, in SHAKESPEARE'S *Much ado about Nothing*, in the examination of *Conrade* and *Borachio*—

1st. WATCH. This man said, Sir, that *Don John*, the *Prince's* brother, was a *villain*.

TO. CLERK. Write down, *Prince John* a *villain*—why, this is flat PERJURY, to call a *prince's* brother *villain*.

SEXTON. What heard you him say else?

2d. WATCH. Marry, that he had received a thousand ducats of *Don John*, for accusing the *Lady Hero* wrongfully.

TO. CLERK. Flat BURGLARY as ever was committed. DOGB. Yea, by the mass, that it is.

consequences

consequences of the *former*, were, the preservation of *female chastity*, and the prevention of *female ruin*—The consequences of the *latter*, have been, and still are, the *destruction* of *thousands of both sexes* (but more especially * of the *female*) in this *world* and in the *next*.

Leigh, Crit. Sacr. sub voc. פלגש—says—
 “ *Concubina-uxor*. Gen. xxii. 24. and xxv. 6.
 “ The Hebrew *Pilgesb* (whereof the Greek
 “ *παλλακη* and Latin *Pellex* are borrowed,
 “ which we call a *concubine*) signifieth an *half-*
 “ *wife*, or a *divided* and *secondary wife*; which
 “ was a wife for the *bed* (and thereby differ-
 “ ing from an *whore*) but not for honour, and
 “ government of the family, neither had
 “ their children ordinarily any right of in-
 “ heritance, but had gifts of their father,
 “ (see Gen. xxv. 6.)” On the margin, Leigh
 cites Grotius on Judges xix. 1, “ *Quidam vo-*
 “ *cem compositam volunt ex פלג divisit, &*
 “ *פשא uxor, quasi uxor divisa. Nomen He-*
 “ *bræum honestius est quam Græcum παλλακη,*
 “ & *Latinum PELLEX, quæ tamen inde vene-*

* After all the rout that has been made about *polygamy* and *concubinage* in the *Christian church*—the only real and substantial difference between the *antient Jews* and the *Christians* is this—The *former* took a plurality of women, whom they maintained, protected, and provided for, agreeably to God’s word—the *latter* take a plurality of women, and turn them out to ruin and destruction, not only against God’s word, but against every principle of justice and humanity.—Or, in other words if the *Jew* took as many as he could maintain, the *Christian* ruins as many as he can *debauch*.

“ *runt. PELLEX est uxorem habentis—CON-*
 “ *CUBINA potest esse cælibis: neque talis con-*
 “ *junctio contra legem & bonos mores erat illis*
 “ *temporibus.*”

“ Some will have this to be a compound
 “ word—of פֶּלֶג *be divided*, and אִשָּׁה *a wife*
 “ — a *divided wife* as it were. The Hebrew
 “ name is of more *honest* import than the
 “ Greek παλλακή, and the Latin *Pellex*,
 “ which are however both derived from it.
 “ *Pellex* is understood in Latin to signify the
 “ woman who lives with a *man that has a*
 “ *wife—Concubina* may signify her who lives
 “ with a *single man.*” — (These distinctions,
 made by different words, do not occur in the
Hebrew) “ nor was such a conjunction con-
 “ trary, in those times, to *law* or to *good*
 “ *manners.*”

The *concubines* seem to have been usually of
 an inferior rank, as maid-servants, and the
 like, and to have been taken without the for-
 mality of *dowry*, or any other *outward* cir-
 cumstance whatsoever—but still they were
 certainly esteemed as the *property* of the man,
 as clearly appears from what *Jacob* said,
 Gen. xlix. 4. and a *concubine* was frequently
 styled אִשָּׁה—a *wife*. Comp. Gen. xvi. 3. with
 Gen. xxv. 6. See also Gen. xxx. 4. with
 Gen xxxv. 22. xxxvii. 2.

I have before observed, that *concubines* are
 not *once* mentioned in the New Testament; so
 that *concubinage* stands entirely on the autho-
 rity of the *Hebrew scriptures*. These, indeed,
 seem

Teem to have been entirely laid aside, and *concubinage*, after the *fourth century*, gradually became the *sinful* and *abominable* thing which we are taught to believe it. There is now no *medium* between *whoredom* and *formal marriage*—the same *Popish* dexterity, which converted a piece of *wafer* into an *human body*, and *marriage* into a *sacrament*, turned a *concubine* into a *whore*, and *concubinage* into a *damnable sin*. See before p. 30. and n.

In short, *concubinage* brought no *grist* to the *mill*; no *licences*, *dispensations*, asking of *banns*, &c. enriched either the *Pope's* coffers, or the priest's *pocket*; therefore it was found *better*, that a *poor seduced girl*, and the *man*, who to humour his own pride, or that of his *family*, did not chuse the *sacrament* of *marriage*, should be separated, and *she* turned adrift, by “being banished the territory;” *he* at liberty to *ruin* as many more as he could, without any incumbrance or expence, and all *these* to become vagabonds on the face of the earth, rather than *holy church* should lose her *prerogative* of *supremacy* over the *consciences* of her *votaries*; or those darling emoluments, of *power* and *wealth*, be *lessened*, or *interrupted*, in their increase.

This has been improved into an *article of faith*, and has been the destruction of as many *women*, as would out-number the *stars of heaven*, and, in its consequences, of as many *unborn* and *new-born* infants, as would make the *infanticides* at *Bethlehem*, or the
priests

priests of Moloch, comparatively innocent, if the numbers destroyed are to be standards of guilt.

*Sure these themselves from primitive
And heathen priesthood do derive,
When butchers were the only clerks,
Elders and presbyters of kirks:
Whose directory was to kill,
And some believe it is so still.
The only difference is, that then
They slaughter'd only beasts, now men:
For then to sacrifice a bullock,
Or now and then a child to MOLOCH,
They count a vile abomination,
But not to slaughter a whole nation.*

Hud.

It has been before observed, vol. i. 58, n. how apt all arbitrary and living languages are to gain new meanings by length of time, some instances of which are there given, and many more might be given. Mr. Warton, in his *Essay on SPENCER'S Faery Queen*, has observed, that—"words, by an imperceptible progression, from one kindred sense to another, at length obtain a meaning entirely foreign to their original etymology."—And indeed they frequently change from a good sense to a bad one. Who would think the word *imp* was anciently a title of royal dignity? Lord Cromwell, in his last letter to HENRY VIII. prays for the *imp* his son. So HENRY V. is hailed, as "*Royal imp of fame.*" Now it is only used in contempt or abhorrence, as signifying an evil spirit—a daemon. See Steevens and Johnson's

Jon's Shakesf. vol. ii. 391, n. and vol. v. 607, n.
and *Phillips's Dict.* sub voc.

Thus has it fared with the words *concupinage* and *concubine*:—the *ideas* which have been annexed to these words by the *Papists*, and after them by the *Protestants*, are as foreign from the *scripture ideas* of them, as it is almost possible for one thing to be from another.—*Concupinage*, as represented in the *Hebrew scripture*, was evidently one mode of innocent and lawful marriage, and *concubines* were, of course, innocent and lawful wives — *legitimæ erant uxores*, saith *Bucer*. So late as the fourth century, the terms *wife* and *concubine* were used indifferently. So in the year 400, the council of *Toledo* decreed, that—"it was necessary for every member of the church to satisfy himself either with one wife or one concubine—that he ought not to be excommunicated who has only a concubine."—As priestly benedictions, and other ecclesiastical forms and ceremonies of marriage, increased by the inventions of men, *concupinage* was not only laid aside, but was looked upon as synonymous with *whoredom* and *fornication*, and a *concubine* was treated as a *whore*:—they certainly had as much authority for this from the scripture, as to have burnt her for a witch.

Still the thing itself, as in God's sight, remains just as it did, neither better nor worse; for no change can possibly be wrought either in the divine mind, or in the sacred language

language in which it is expressed.—This mode of *marriage* being allowed of God, must be concluded to have been for the *wisest reasons*, not the least of which seems to have been, to preserve the *lower order of females* from *desertion* and *prostitution* (a thing not known among the antient *Jews*) but to which they have been consigned by the *Christians*, without *mercy* or *remedy*.

I dismiss this part of the subject, with referring the *reader* to *Martin Bucer's* sound and scriptural thoughts upon it, in the *Appendix* to chap. ii. of *this work*, at the end of vol. i.

Another observation, which arises from the foregoing evidence, is with regard to those dangerous engines of *priestcraft*, and *church-tyranny*, called, in the *Popish canons*, *ecclesiastical courts*; which, together with all their *officials*, *commissaries*, and other *officers* thereunto belonging, were the *improvements* made by the *church of Rome*, on the power granted to *bishops* and *councils* for the *internal* administration of the *church*, by the Emperor *Constantine*. In short, when he and his successors became *Christians*, they thought it highly for the honour of *Christianity*, that the *clergy* should be invested with outward dignities, preheminences, and authorities, suitable to that *kingdom of this world* which then began to be erected—or, as I may say, when the *princes* of the empire became *Christians*, the *Christian churchmen* became *princes*, and this begot the *ecclesiastical courts*; from them
came

came the courts of *inquisition*, and every other mode of oppressing mankind, under colour of law, by *ecclesiastical judges*. These courts, under the jurisdiction of the *bishops*, were erected in every *diocese*, and, together with *Popery*, transplanted into this country. They were the infernal *tribunals*, which harassed, persecuted, distressed, tortured, and burnt *Protestants* alive, and might do so still, but for the 29 Car. II. c. 9. which takes away the writ *de heretico comburendo*, yet reserves all other punishments but *death*, in as ample a manner as before the making of the act, for “*heresy, schism, and all other dam-nable doctrines and opinions.*” But what these are, who can define? They are vague descriptions of *offences*, concerning which, mankind are not agreed to this hour, and yet punishable by these courts, by any *ecclesiastical censures* short of *death*, even to *excommunication* itself.

Outlawry in *treason* or *felony* is a *civil death*, but *excommunication* may be called a *death* both *civil* and *ecclesiastical*; and, when duly considered for *what* it may be inflicted, and by *whom*, and what its *consequences* are, can, in all reason and sense, only be looked upon as one of the most barbarous, oppressive, and iniquitous engines of *church-power*, that the *Pope* left behind him, when his immediate *supremacy* in this country was destroyed.

As for *what* it may be inflicted, it rests
very

very much in the breasts of the *ecclesiastical judges*, according to the construction they may be pleased to put on the words—" *heresy, schism, and other damnable doctrines and opinions.*" — In some instances, indeed, there are determinate causes assigned of *excommunication ipso facto*, as the reader may see by turning to the "*Constitutions and Canons Ecclesiastical*, treated upon by "*the convocation 1603,*" and affirmed afterward under the great seal of England, by that pious, wise, and patriotic prince, King James I.

In the *twelve* first *canons*, the reader will find no less than *eleven* causes of *excommunication*—*nine ipso facto*, not one of which have the least to do with the *Bible*, or were offences existing 'till the inventions of *men* gave them birth. There are also other causes of *excommunication*, in others of these said *canons*, which have as little to do with the *Bible*, as those have which are before mentioned. The last *three canons* also denounce *excommunication* for causes unknown to the *scriptures*.

The person by whom, either the sentence of *excommunication*, or the *excommunication ipso facto*, may be awarded, is the *ecclesiastical judge*, who is usually a *layman*; and, if prejudiced against the party, or a man of a severe and bad temper, may find out interpretative causes of *excommunication*, so many and so various, as to leave no man safe:—no jury
interferes

interferes in the trial of the cause, no determinate definition of "*heresy, schism, and other damnable doctrines and opinions,*" to direct or confine the judgment—but it stands on the breath of a *single mortal*, to determine on whom this horrid engine of *excommunication* shall be played off.—Add to this, as all the proceedings are in *writing*, a man may be accused by a person he never knew, and convicted of the crime laid to his charge, without ever seeing the face of one of the *witnesses* against him.

As to the consequences of these *excommunications*, I can hardly suppose, that, as to any *spiritual* damage to a *man's soul*, any person of common sense would trouble his head about them, or give a *brass farthing* for his *absolution*; I am sure, if he did, he would give more, by all the money, than it is *worth*.—But as to the *temporal* inconveniences accruing from these engines of *ecclesiastical* despotism, they are certainly very terrible, so much so, as to render them very serious objects of our consideration, as a *free* and *Protestant* people.

There are two sorts of *excommunication*, called the *lesser* and the *greater*: the *lesser* is the depriving the offender of the *use of the sacraments*, and *divine worship*; and this sentence is passed by *judges ecclesiastical*, on such persons as are guilty of *obstinacy* or *disobedience*, in not appearing upon a citation, or not submitting to *penance*, or other *injunctions*

tions of the court. The greater *excommunication*, is that, whereby men are deprived, not only of the *sacraments*, and the benefit of *divine offices*, but of the *society* and *conversation* of the *faithful*—i. e. of all persons *not* excommunicated.

If a person be *excommunicated* generally; as if the judge say—“*I excommunicate such a person*”—this shall be understood of the greater *excommunication*. *Lindw. 78.* *Lindwood* says, that *excommunication ipso facto* is—*nullo hominis ministerio interveniente*—which is about as equitable as hanging a man without a trial.

By art. 33, of the church of *England*,
 “that person, which, by open denunciation
 “of the church, is rightly cut off from the
 “unity of the church, and *excommunicated*,
 “ought to be taken of the whole multitude
 “of the faithful as an *heathen and publican*,
 “until he be openly reconciled by *penance*,
 “and received into the church by a judge
 “that hath authority thereunto.”

By can. 85, “the *churchwardens* or *quest-men* especially shall see, that all persons
 “*excommunicated*, and so denounced, be kept
 “out of the church.” See *Burn Eccl. Law*,
 tit. *Excommunication*.

The consequences of all this are, that a man is deprived of the participation of the *means of grace*—inhibited the commerce and communion of the *faithful*—and moreover, after *forty* days, the *spiritual* court signifying this
 to

to the court of *Chancery*, by *significavit*, there issues a writ *de excommunicato capiendo*, which is all but as bad as the *heretico comburendo*, for it causes the man to be apprehended by the *civil power*, and thrown into *gaol*, where he may lie 'till he *rots*, if he has not money enough to purchase his letters of absolution, as in cases of *excommunication* for non-payment of * *costs*, and the like.

Moreover, it is to be observed, that the *excommunicate* person is so far put out of the protection of the *laws* of his country, as that he cannot sue an action *real* or *personal*.

He cannot make a last *will* and *testament*.

He cannot be an *advocate*—or a *witness*—nor a *juror*, if the record of the judgment be produced.

He cannot act as an *executor*, or prosecute any action for the testator's goods; and they which converse with an *excommunicate* person are *excommunicate* † also.

And

* One of the *twenty-eight grievances* complained of to the House of Commons, anno 1640, was—"the general abuse of *excommunication*, which was inflicted for *trivial* matters, and the *absolution* whereof could not be obtained without money." Another—"the great abuse of *ecclesiastical courts*."—See *Rapin*, vol. ii. 361.

† Let it be observed, that all these mischiefs may befall a man, who is neither guilty of a breach of any revealed *law* of GOD—nor of the known *law* of the land—no part of *this* can the *canons* be reckoned, as the highest sanction which they ever obtained, was that of the *great seal*.—How then is imprisonment of an *English*

And that they may *be-devil* a man to the uttermost, it is ordered, by can. 68, that a *minister* is to be suspended for *three months*, who affords *Christian burial* to a person, against whom the *court-christian* (for so the *ecclesiastical court* is sometimes called, as the court of *inquisition* is called the *house of mercy*—as *lucus a non lucendo*—) hath pronounced the * *greater excommunication*, which may be done by the single voice of the *judge*, only saying—“*I excommunicate such a one*,” and that, for offences which have no foundation, but in the uncertain construction of vague and indeterminate *human words*, or in the *canons* of the *church*, which are the pure inventions of an *ecclesiastical synod*, and framed, as near as may be, to save appearances, to the *canons* of the *church of Rome*.

Surely such powers as these are too great to be trusted in the hands of *any man*, and are

subject, under *excommunication* for offending against these *canons*, consistent with that axiom in the *grand charter* of *English freedom*, c. 29.—“*Nullus liber homo capiatur vel imprisonetur, &c. nec super eum ibimus, nec super eum mittemus, nisi per legale iudicium parium suorum vel per legem terræ.*”—“No free man shall be taken or imprisoned, &c. nor we will not pass upon him nor condemn him, but by *lawful judgment* of his *peers*, or by the *law of the land*?”

The church of *Rome* is rather more charitable in this business, for it has a—“*Ritus absolvendi excommunicatum post mortem*”—“A rite of absolving an excommunicate person after death,”—and if *buried*, they will dig him up again for this purpose, provided he shewed a sign of *contrition* on his *departure*.—The ceremony of *verberation* and *absolution*, together with all the rest of the *farce*, is in the *Rituale Romanum*.

such

such as are too inimical to public *liberty* and *safety*, to be suffered to exist any where, much less in a *free* and *Protestant country*. While the *Pope* was supreme head of the *church of England*, had set himself above *all law*, and could cause a learned, brave, and *great king* (*Henry II.*) to be *flogged* by a parcel of *rafcally monks*, at *Thomas à Becket's tomb*, like a *thief* at a *cart's tail*—could lay whole kingdoms under an *interdict*, and cause the kings of the earth to be *excommunicated*, and *deposed* and *murdered* by their *subjects*—one can account for the people of this infatuated country's submitting to the *ecclesiastical tyranny* of the *spiritual courts*—but surely, after above *two centuries* have passed since the banishment of the *Pope*, it is high time for us to reflect as to the situation we are in, with respect to these dreadful *tribunals*.

I have before, (vol. i. p. 67) spoken of these *courts*, and called their power “*very feeble*”—this must be understood in a comparative sense, to what it was before the abolition of the *high commission court*, by 16 Car. I. c. 11.—the taking away the writ *de hæretico comburendo*, by 29 Car. II. c. 9.—and the passing that truly *Christian law*, commonly called the *toleration-act*, 1 W. and M. c. 18.—but there is still power enough left, to make the subjects of this kingdom tremble for what may happen, in less moderate times than those we live in.

What *offences* can possibly arise, which a *temporal judge*, and a jury of *twelve men*,

cannot punish? What evils, which they cannot properly and duly † animadvert upon? Or what laws can be imagined, which they cannot execute, on the constitutional principles of a fair and open trial on *viva voce* evidence, and on the words of determinate and certain statutes? Why are * *wills* and *testaments*, *matrimonial causes*, and other matters of a *temporal* nature, to be consigned into the hands of *ecclesiastical judges*? — I can give no other reason, than that the *Pope* wrested them out of the hands of the *civil* powers, and placed them there; which, by the way, is no bad reason for their being restored to the *civil power* again.

Much has been said, and much more

† “ As *St. Paul* thought that men might lead quiet and
“ peaceable lives, in all godliness and honesty, under pro-
“ per subjection to, and coercion of the civil magistrate,
“ I do not see that I should be ashamed to think so too.”
Confessional, 3d edit. 231.

• “ The probate of testaments did not originally be-
“ long to the *ecclesiastical* jurisdiction, but to the county
“ court, or to the court baron of the respective lord of the
“ manor where the testator died, as all other matters did,”
2 *Bac. Abr.* 398.

“ The truth is, there were *wills* before there was any
“ *ecclesiastical* jurisdiction, and consequently the cog-
“ nizance thereof pertained then solely to the *civil* ma-
“ gistrate.” See *Burn*, *Eccl. Law*. tit. *Wills*.

The truth of all is, that *papal* usurpation stopped at nothing, which could encrease the wealth, or gratify the ambition of churchmen. When the *Pope* sent his *superstition* into this country, by *Austin* the monk, his power followed hard after it, and laid its hands on what it pleased, none daring to resist. This is the true original of throwing *matrimonial* and *testamentary* causes into the hands of *ecclesiastical judges*. See *Thelyph.* vol. ii. p. 141, 2d edit.

might

might be said on the subject; but how we can call ourselves *Protestants*, or boast of our being a *free* people, while we are under this *imperium in imperio*, I cannot conceive—therefore, as the *parliament* of *England* abolished the *high commission* court; by 16 Car. I. c. 11, it would be an *act* becoming an age of still greater *Protestant* liberty, to *annihilate* every power of *churchmen* to do *mischief*, and leave them no other, than that of doing good.

Another *observation* which may be made on the foregoing *evidence*, relates more immediately to the subjects of these *volumes*; I mean, the contrivances of the *Papish* canon-law, to blind people from the real and true nature of *marriage*; to make them believe that it consists in an *outward ceremony*, which *man* has invented, and not in that *personal union* which God ordained at the beginning; and, of course, to throw *nullity*, and even *infamy*, on the latter; thus to strip it of all *obligation* and *validity*, and by these means, leaving the seduction and dereliction of *virgins* wholly in the power of their *betrayers*. To this the *church*, the *priest*, and the other religious formalities, have so greatly contributed, that neither *Papist* nor *Protestant* have the least doubt upon the subject.—The *Papist* calls his *priest's* LEGERDEMAIN the *form* of the *sacrament*, but the *sacrament* itself is the *union* created by the *Ego jungo vos*, &c. The *Protestant* will tell us, that an *outward ceremony* is the *form*

of the *marriage*, but that the *marriage* itself consists in the *union* arising from *certain words* spoken in *English* instead of *Latin*. — Without this there is no *marriage*, as both will confess; therefore both equally make *marriage* to consist in something, which, so far from being of the *essence* of it, is not so much as *mentioned*, or even hinted at, throughout the whole *word of God*, no, not even as the most distant circumstance attending upon it.

We are encouraging the revival and improvement of the liberal arts; *painting, sculpture, music*, and other ornaments of civil society, meet with their patrons and promoters; *schools* and *academies* are erected, and busily employed, in the more noble and useful researches of *navigation, astronomy*, and their concomitant *sciences*; how is it then, that we are, with regard to the important subjects of these volumes, contented to remain where the *dawning* of the *Reformation* left us, partly *delivered*, partly *retained* in the hands of that *superstition*, so much of which our first *reformers* shook off?—how is it, that the *miseries* of *ruined females* have little other effect upon us, than to provoke our *contempt*, or sometimes, perhaps, excite our *pity*?—Will —“ *be ye warmed*”—relieve them from the *winter's cold*?—or—“ *be ye clothed*”—cover *their nakedness*?—Why not search into the *records of everlasting truth*, to see whether there is not a solid provision made against their *distresses*—some mighty bulwark raised for
their

their *security* and *protection*—some remedy provided against the crying, ruinous, and destructive evil of public *prostitution*? If there be such things—let them be brought forth into open daylight, let them be *proclaimed on the house-tops*—had we *Virgil's*

Linguae centum—oraque centum—

let them be all employed upon the glorious, salutary subject—let *Protestant* legislation destroy *Popish* encroachment; let it adopt the *laws of Heaven* for its guide—rendering unto *Cæsar the things that are Cæsar's*, and unto *God the things which are God's*.—Thus making *marriage* what God has made it—in its *nature, end, and obligation*; and confirming *all these*, by such *laws of the state*, as may insure, by OUTWARD RECOGNITION, what has been commanded and established by HEAVENLY and DIVINE INSTITUTION.

From the foregoing long series of evidence it likewise appears, whence has been derived the whole art and mystery of *sin-making*, and *unmaking* it again, by human contrivance—also *saint-making*—*cross-making*—*creed-making*—the consecration of *days and seasons*—framing *calendars*, which, like the *Fasti* of Heathen Rome, are filled with observances of superstitious veneration in honour of dead *men and women*.—The *Heathen* had their *Dii majorum gentium*, and their *Dii minorum*—their *Gods, Demigods, and Heroes*—*Christian churchmen* registered their *Lady* * the *Virgin Mary*—

* *Annunciation of OUR LADY*. See *Eng. Kal.* of proper lessons.

angels—apostles—saints—martyrs—confessors—and each of these had his day on which he was to be worshipped.

We likewise find the true origin of those uncommanded and humanly-invented *rites* and *ceremonies*, which corrupted the simplicity of the *divine ordinances*, obscured the true nature of *divine institutions*, and fixed the eyes of *Christians*, not on what God had *ordained*, but on what *men* had *invented*.

These were guarded, in the most tremendous manner, by the *ecclesiastical* powers, against all contradiction and innovation.—Many instances of this we have already met with—but let us hear the *Council of Trent*, Sess. 7. Can. 13.

“ Si quis dixerit, receptos & approbatos ecclesie Catholice ritus in solemnibus sacramentorum administratione adhiberi consuetos, aut contemni, aut sine peccato a ministris pro libitu omitti, aut in novos alios per quemcumque ecclesiarum pastorem mutari posse—*anathema sit*.”

“ If any one shall say that the received and approved *rites* of the *Catholic church*, which are wont to be used in the solemn administration of the *sacraments*, are to be contemned, or, without sin, can be omitted at the will of the minister, or can be changed for other new ones by any pastor of the churches—LET HIM BE ACCURSED.”

Now let us hear the *Protestant church of England*, CAN. 4.

“ Whosoever shall hereafter affirm, that
“ the

“ the form of God’s worship in the church
 “ of *England*, established by *law*, and con-
 “ tained in the book of the *Common Prayer*,
 “ and administration of *sacraments*, is a cor-
 “ rupt, superstitious, or unlawful worship of
 “ God, or containeth *any thing in it* that is
 “ repugnant to the scriptures, let him be
 “ EXCOMMUNICATED *ipso facto*, and not re-
 “ stored, but by the *bishop* of the place, or
 “ *archbishop*, after his repentance, and public
 “ revocation of such his *wicked errors*.”

Can. 6. Exhibits a like sentence against—
 “ Impugners of the *rites* and *ceremonies* esta-
 “ blished in the church of *England*”—EX-
 COMMUNICATION *ipso facto*.

So we see, that, as the *Papists* CURSE the
Protestants, the *Protestants* CURSE one another
 —and all this, for matters entirely of *human*
invention.—Surely this is a likely way to re-
 concile our *dissenting Protestant brethren* to
 the *church* as by *law established*! and to con-
 vince *infidels*, that when they laugh at us all
 for a parcel of *fools*, they are *very much* in the
wrong!

As to *marriage*, the *Romish* ritual says—

“ Parochus—Noverit ex probatis auctori-
 “ bus, quæ sint canonicæ impedimenta ma-
 “ trimonii contrahendi, & quæ contractum
 “ dirimant: & qui sint gradus consanguini-
 “ tatis & affinitatis, & item cognationis spi-
 “ ritualis ex baptismi vel confirmationis sa-
 “ cramento contractæ:

“ Habeat imprimis ipse bene cognita præ-
 “ cepta illa omnia, quæ in matrimoniis ritè
 “ conficiendis

“ conficiendis fervari oportere, facri canones,
 “ et præcipuè sancta synodus Tridentina
 “ jussit, dabitque operam, ut illa in parochia
 “ sua accuratè exactèque ferventur.”

“ Let the *parish priest* know, from *ap-
 “ proved authors*, what are the *canonical im-
 “ pediments* of contracting matrimony, and
 “ what things may destroy the contract : and
 “ what are the degrees of affinity and con-
 “ sanguinity, also of spiritual relationship,
 “ contracted by the sacrament of baptism or
 “ confirmation.

“ Let him, above all things, be well ac-
 “ quainted with all those precepts which
 “ ought to be kept, in rightly and duly per-
 “ forming marriages, according to the *sacred
 “ canons*, and especially according to what
 “ the holy *synod* of *Trent* commanded. And
 “ he shall do his endeavour, that these shall
 “ be accurately and exactly kept within his
 “ parish.”

We find here *particularly*, as before in *ge-
 neral*, from whence we derive our notions of
 sending people to *canons*, *learned authors*, and
acts of parliament, to be taught what are or
 are not *impediments* to marriage ; as likewise
 how totally the *antient laws* of JEHOVAH, re-
 lative to what does or does not make a valid
 marriage in His sight, are cashiered and laid
 out of the *question*—and how the ordinances
 of men are substituted in the place of the in-
 stitutions of God.

There is another clause in the *Romish ritual*,
 which, compared with the preceding evi-
 dence,

dence, shews how *second marriages* of all sorts have, through a long succession of *ages*, met with the disapprobation of the *church*.

“ Caveat etiam *parochus* ne quando conjuges in primis nuptiis benedictionem acceperint, eos in secundis benedicat, sive mulier, sive etiam vir ad secundas nuptias transeat: sed ubi ea viget consuetudo, ut si mulier nemini unquam nupserit, etiam si vir aliam uxorem habuerit, nuptiæ benedicantur, ea servanda est. Sed viduæ nuptias non benedicat, etiamsi ejus vir nunquam uxorem duxerit.”

“ Let the *priest* also beware, lest, when married persons have in former nuptials received the *benediction*, he confer it on them in *second* nuptials, whether a *woman*, or even a *man*, passes on to a *second* marriage. But where the custom prevails, that, if a woman has never been married before, though the man has had another wife, the nuptials shall be *blest*, there that custom shall stand. But he shall not bless the nuptials of a *widow*, although the man she marries never had another wife.”

If it be asked, by what authority is all this?—I answer, by as *good* authority as we refuse the *benediction* to a man who has a wife in a *mad-house*, and who marries another to keep himself out of a *brotel*. Or to one who was to do the same because he had detected his wife in *adultery*, and could not afford to pay the monstrous expence of an act of

of parliament to divorce her. Or to others who are as justly and unavoidably separated, as if their wives were *dead*.

In short, it is needless to cite any more authorities to prove, that the *ideas* which the scriptures have given us of *marriage*, in all the *forms* in which it appeared under the immediate dispensation of God, have long been changed into a very different *system*, and that our sentiments of the matter are to be entirely regulated by the contrivances of mortals, and not by the unerring *rule* of God's law. But when we consider the mischiefs with which this is attended, in the desolation and ruin of the *weaker sex*, and that all the inventions of human wit and wisdom are utterly disproportionate to the task of finding out a remedy, we ought to confess—that
 “ we have committed two evils, in forsaking
 “ JEHOVAH, the fountain of living waters,
 “ and hewing out unto ourselves cisterns, broken
 “ cisterns, that can hold no water.” Jer. ii. 13.

The *Papists*, as we have before seen, teach, that “ marriage is a sacrament of the New
 “ Testament, ordained by CHRIST, and appropriated to Christians.”—This we deny in words; but how distant *our system* is from it, or how different in truth and in fact, or how essentially more conformable to the *Bible*, requires a much more distinguishing head than I can boast of to define.

My friend, the honest *Quaker*, says—that
 —“ a cat in a window is like a cat out of a
 “ window.”—What he means by this I leave

to the reader to determine, as well as what he means by affirming—

“ That, if two men were to sit down to
 “ write a *glossary*, in which the *English* words—
 “ *Marriage—Whoredom—Fornication—Poly-*
 “ *gamy—Concubinage—Divorce, &c.*—were
 “ to be explained;—were these writers to be
 “ shut up apart in different rooms, *one* with
 “ the *Popish system*, as set forth in the deter-
 “ minations and decrees of *Popes*, councils,
 “ synods, &c. of the church of *Rome*—
 “ the *other* with the *statutes* at large, the
 “ “ *constitutions and canons ecclesiastical*,” and
 “ other muniments of this *Protestant* coun-
 “ try—and both these men honestly and
 “ fairly adhered to their several *patterns*;—
 “ they would, when they came forth, pro-
 “ duce *works* so like one another, and so un-
 “ like the *scriptures*, as to make one suspect
 “ (as has been thought of *Ptolomy’s seventy*
 “ *interpreters*) that though the writers ap-
 “ peared to have been separated, yet they
 “ must have had some communication to-
 “ gether, though so secret as not to be dis-
 “ covered.”

As *Rome* was not *built* in a day, so neither could it be *demolished* in a day.—The *Protestant Reformers* did *much* towards its demolition, but they could not do *all*.—The prejudices which they had to encounter, the opposition and persecution which they endured, the controversies they were engaged in, and many other things which were inseparable from their peculiar situation, ought rather

rather to make us wonder that they got so far as they did, rather than be surprized that they got no farther.

—When *Henry VIII.* quarrelled with the *Pope*, he yet by no means quarrelled with *Popery*, as the *six bloody articles*, which were the ground of that antichristian and bloody law, 31 H. VIII. c. 14. intituled, “An act
“for abolishing of diversity of opinions in
“certain articles concerning *Christian religion*,” fully shew. — Other laws, which took the *supreme* power in *ecclesiastical* matters out of the hands of the *Pope*, threw it into the hands of the *King*; and good care was taken that the *hierarch* under *Henry VIII.* should have all powers of co-operation with his *Majesty*, as they had before with his *Holiness*. — The kingdom in the next reign (of *Edward VI.*) assumed the name of *Protestant* with much more colour of title than in the preceding — *Queen Mary’s* accession bid fair to undo all again; — but in the long reign of her successor *Queen Elizabeth*, the *Protestant* establishment gained that strength and firmness, which it acquired by sundry laws made in its favour; and was still more established at the glorious *Revolution*, when the State found it necessary to guard, in the strongest manner, against the danger of the return of *Popery*, in the person of a *Popish Pretender*.

Still marriage, and all things relative thereto, were dependent on those *opinions* of men, which had been the ground of ancient *canons*,
and

and other laws concerning them.—In many great and important articles of religion, the reformers had acted upon the great *Protestant axiom*, that “the scriptures are the *only rule of faith*.”—As to the *rites and ceremonies* of the *church*, these remained, with a very strong mixture of the old ones, which had been established before the *Reformation*—therefore all similarity between them and those of the *church of Rome*, must be accounted for, partly from the early * prejudices of the compilers, partly from the influence, which a more considerable alteration must have had, on certain very lucrative emoluments arising to the *church*, from things remaining in their present form.—*Henry VIII.* saw how much it was for his own interest to keep *marriage* within the power of human

* That masterly writer, the author of the *Confessional*, furnishes me with words to express what I mean.

“On this state of the case, it appears that the matter of complaint does not affect the *fathers* of the *Reformation*, by far so much as their *sons* and *successors*. Our first *Reformers* were beset with their own and other men’s prejudices, to a degree that rendered them, in a great measure, incapable of conviction. It was next to impossible to convince them, that their established confessions of faith” [and so their notions, doubtless, on many other subjects] “were unchristian impositions, for which there was no just authority, when they had the early practice of the *Christian church* to appeal to, long before the tyrannical spirit of *Rome* prevailed. Their veneration for antiquity prevented their seeing that these very precedents were some of the steps by which the *Papal* power ascended to its height, and arrived at the plenitude of its usurpation.” *Confessional*, 3d edit, p, 27.

legislation, and to model it as he liked, for his own convenience; and it is most probable, that the *clergy* would not have made it very easy for his *Protestant successors*, had they been inclined to it, to have wrested so † profitable a branch of *clerical* profit and importance out of their hands. Hence it is, that things “are as they are;” and there is no great

† Mr. VINCENT ALSOP (the famous author of *ANTI-SOZZO*) in his *Melius Inquirendum*, p. 68. on that position, “that no reformation can be made, but what will notably diminish the revenues, grandeur, and credit of the church”—observes, “that whatever have been the specious pretences, this has been the real obstruction of effectual reformation; Kings and Parliaments have always been inclinable towards a redress of exorbitancies, but the covetousness and pride of churchmen have ever impeded their pious endeavours. A Parliament in Queen Elizabeth’s reign, as we read in Dr. Fuller’s Church History, was bringing in a bill against pluralities, and archbishop Whitgift sends a letter to her majesty, signifying, that they were all undone, horse and foot, if it passed. Observe how he deploras the miserable state of the church—*The wofull and distressed state into which we are like to fall, forceth us, with grief of heart, in most humble manner, to crave your majesty’s most sovereign protection.*—Why, what is the matter?—were they making a law against preaching? No.—Or against common-prayer? By no means!—What ails then the distressed man? Why—we, therefore, not as directors, but as humble remembrancers, beseech your highness’s favourable beholding of our present state, and what it will be in time, if the BILL against PLURALITIES should take place.—No question it must be utter extirpation of the Christian religion.

“Thus, in another letter to the same Queen, he complains, with lamentations that would soften an heart of marble—that, they have brought in a bill giving liberty to MARRY at all times of the year without restraint.—Well, but if men be obnoxious to the evil
“ at

great likelihood they should undergo the least alteration, till we are thoroughly awakened to a sight and sense of the deplorable consequences of our present *system* (where *adultery* goes without due punishment, and *seduction* remains without all obligation from the *seducer* to the *seduced*) and we seriously wish to reform the deplorable state of things, by the *pattern delivered in the Mount*; I mean, by those MOST RIGHTEOUS LAWS which the God of *Heaven* revealed, for the *moral* government of his reasonable creatures, in that most important of all things in *this world*—*the commerce of the sexes*.

“ at all times of the year, why should they not use the
 “ remedy which God hath appointed at all times of the
 “ year? The *Apostle*, who tells us—*It is better to marry*
 “ *than burn*, did not except any time of the year. But
 “ why may not a *Parliament* make a law, as well as
 “ the *Ecclesiastical Court* give a licence, that it shall be
 “ lawful to marry at any time of the year? Ay—but
 “ the *Parliament* will make the law for nothing, whereas
 “ those other will have money for their licences. But
 “ he proceeds — *It is contrary to the old canons con-*
 “ *tinually observed by us.* Why, but is it not con-
 “ trary to the old canons to take money for a licence?
 “ Yes!—but—it tendeth to the slander of the church, as
 “ having hitherto maintained an error. And now you
 “ have the bottom of the bag: all reformation must
 “ touch the clergy, either in their credits or profits, and it
 “ were better never to put an hand to that work, than
 “ touch either of those with a little finger.” p. 69.

INTRODUCTION TO CHAP. XIV.

MR. LOCKE, b. ii. c. 33, "Of the association of *ideas*," observes, that—"Some of our *ideas* have a natural correspondence and connexion one with another: it is the office and excellency of our reason to trace these, and hold them together in that union and correspondence which is founded in their peculiar beings.

"Besides this, there is another connexion of *ideas*, wholly owing to chance or custom: *ideas*, that in themselves are not at all of kin, come to be so united in some men's minds, that 'tis very hard to separate them: they always keep company, and the one no sooner comes into the understanding, but its associate appears with it; and if they are more than two, the whole gang, always inseparable, shew themselves together.

"This connexion in our minds, of *ideas* in themselves loose, and independent of one another, is of so great force to set us awry in our actions, as well moral as natural, passions, reasonings, and notions themselves, that perhaps there is not any one thing that deserves more to be looked after. Thus the *ideas* of *goblins* and *sprights* have really no more to do with darkness than light; yet let but a foolish maid inculcate these often on the mind of a child, and raise them there together, possibly he shall never be able to separate them again

" so

“ so long as he lives, but darkness shall ever
 “ afterwards bring with it those frightful
 “ *ideas*.

“ Some such wrong combinations of *ideas*
 “ will be found to establish the irreconcil-
 “ able opposition between different sects of
 “ philosophy and religion; for we cannot
 “ imagine every one of their followers to
 “ impose wilfully on himself, and knowingly
 “ refuse truth offered by plain reason. That
 “ therefore which captivates their reasons,
 “ and leads men of sincerity blindfold from
 “ common sense, will, when examined, be
 “ found to be what we are speaking of:
 “ some independent *ideas* are, by education,
 “ custom, and the constant din of their
 “ party, so coupled in their minds, that they
 “ always appear there together, and they can
 “ no more separate them in their thoughts,
 “ than if they were but one *idea*; and they
 “ operate as if they were so.

“ This gives sense to jargon, demonstra-
 “ tion to absurdities, and consistency to non-
 “ sense, and is the foundation of the greatest,
 “ I had almost said of all the errors in the
 “ world: or, if it does not reach so far, is at
 “ least the most dangerous one, since, so far
 “ as it obtains, it hinders men from seeing
 “ and examining the confusion of two dif-
 “ ferent *ideas*, which a customary connexion
 “ of them in their minds hath to them in ef-
 “ fect made but one, and cannot but fill men's
 “ heads with false views, and their reason-
 “ ings with false consequences.”

On the principles of this great man, many
 X 2 things

things are to be accounted for, which otherwise are unaccountable. When one looks (for instance) into the ordinance of the CREATOR, by which the human species is to be propagated and preserved—when we consider the simple ground of *union*, as represented Gen. ii. 24, and the consequence drawn from it by the great *interpreter* of the *law*—Matt. xix. 5, 6—we must ascribe the independent *ideas*, which, by long custom and usage, have united themselves in the minds of men concerning *marriage*, to their having been inculcated from early infancy, by others, who themselves have come by them in the same way; and thus having been delivered over, since their *coinage* in the *church* of *Rome*, from generation to generation, they stand in the public opinion as so many absolute and demonstrable truths: whereas, not a single trace of them is to be found in the *Bible*; neither *religious persons*, nor *religious outward ceremonies*, have any more to do with the essence or validity of the marriage-union in God's sight, than *darkness* has to do with *sprights* and *goblins*, or the *sign* of the *cross*, or *godfathers* and *godmothers*, have to do with the ordinance of *baptism*.—The necessity of an *outward* contract does not therefore arise from any command of God, so as to make the union null and void, or sinful, without it; but from causes of the most disgraceful nature, and which are owing to the dreadful departure of mankind from truth and justice, and from that reverence and obedience to the

CREATOR'S

CREATOR's appointments, which it was once the honour and happiness, and must be for ever the duty, of man to pay them.

C H A P. XIV.

Of the true ORIGIN and NECESSITY of MARRIAGE-CEREMONY.

THE invention of *marriage-ceremonies*, is as great a proof of the depravity and corruption of human nature, as the invention of written *bonds* and *obligations* under *band and seal*; they alike prove, that they are the effects of that necessity, which mankind laboured under, to secure themselves against the villainy, treachery, and deceit of one another. Was the *world* what it *ought to be*, no *obligation*, beside that of *conscience*, would be necessary for the security of men, with regard to any kind of bargains which they could make with each other. The man who lent another a sum of money, though without any other witnesses to the transaction than the *parties* themselves, would be perfectly secure, perhaps more so than he is *now*, with a bond duly stamped, and sealed, and delivered by the hand of the obligor, in the presence of witnesses.—If we ask whence arose those voluminous securities, known in our law by the names of *marriage-settlements*, *mortgage-deeds*, and *specialties* of various kinds? it may be answered, “From men’s being
“ afraid to trust one another without them.”

The very same principle first gave birth to outward *marriage-ceremony*; the simple *institution* of *Heaven* would have been as sufficient to have bound the parties to each other at this hour, as it was in the days of *innocence*, had not the corruption of human nature destroyed the influences of *justice*, *mercy*, and *truth* within the human soul. The adventitious circumstances of *human ceremony*, on this account, became necessary; and, as the world increased, and villainy of all kinds increased, the means of security against it has at all times exercised the invention of *legislature*, and employed the vigilance of the *executive power*, in order to obviate the mischievous effects of it.

But what a strange thing would it be to hear, that a *bond*, on paper, stamped with a stamp of such a value, and sealed and delivered in the presence of witnesses, and *not* the sum of money *lent*, raised the *duty* in the obligor's conscience to pay it? and what a conscience must that man have, who looks upon an outward security as the only reason for acknowledging a just debt? yet this is the language of mankind with respect to *marriage*; the debt of *justice*, arising from the command of *God*, is all easily set aside, and nothing is looked upon as obligatory but the outward bond. To say, that this is less a mere *civil contract* than the other, is saying what is not true, and is the great advantage which has been taken of men's understandings in the business of *marriage*, to the no small emolument of those that have taken it,
and

and to the distress and destruction of millions that have suffered by it.

Again, let us suppose the whole body of *attorneys, conveyancers, &c.* banding together to persuade mankind, that the doctrine of conveyances by *lease and release*, by way of *mortgage*, and this farther strengthened by levying *finer* and suffering *recoveries*, in cases of *intailed estates*, came from *heaven*; and that no man was obliged in conscience to be answerable for a sum of money which he had borrowed, unless he employed a *conveyancer*, and set his hand and seal to *sixty* large skins of parchment; and that if he borrowed money without this, and dared to pay it, he would be *damned*—we should here see a lively emblem of what *churchmen* have taught us upon the subject of *marriage-ceremony*: — as the *lawyers* would place the sole obligation of payment in their *wax and parchment*, and in the chicane of their art, and not in the command of *Heaven* “*to render to all their due;*” so *churchmen* have placed the whole *marriage-obligation* in an outward ceremony, and not in the *command of God*, “*they shall be one flesh*”—they have let loose all obligation whatsoever arising from this *command*, inasmuch that it is under pain and peril of *damnation*, that a man dares persist in it, unless the *priest* accounts him *rectus in curia*, and can bring him to *sign and seal* by an *outward ceremony*; which, under certain circumstances, is impossible, because human laws have made it so.

Now, what a *bond*, or *mortgage*, is by way of security for money, that a *marriage-ceremony* is, by way of security with regard to *marriage*: and as a man who lends another a sum of money has a right to demand a proper security for the repayment of the debt, principal and interest; so has every woman a right to demand the security of such *ceremony* as the laws of her country have ordained, with respect to the man who has *seduced* her — GOD has in effect COMMANDED it, *Exod. xxii. 16.* and therefore the severest penalty ought to be inflicted on the man who refuses it. The woman who delivers her person into the possession of a man, without the *ceremony* first performed, does not act a * *cautious, proper*, or

* Some may perhaps think, that I have spoken here too *mildly* of such an act, and that I should have introduced the epithet *sinful* among the rest; but, as I see no transgression of any *law of GOD* in the matter, and am told that *where there is no law there is no transgression*, I dare not adopt so *pernicious a tenet*, as to call that *sinful*, which GOD commanded with a *blessing*. See *Gen. i. 28*, and again *Gen. ii. 24*. See before *vol. i. chap. 2. paragr. 1 and 2.*

If mortals have entirely changed the dispensations and ordinances of GOD, into *systems* of their own invention, this can have no sort of effect on the real and determinate nature of *good* and *evil* as defined in the *holy scriptures*. For my own part, I am most perfectly convinced, that the *fear* and *shame*, which the *pernicious tenet* above hinted at hath by custom brought on the *mother*, hath, in numberless instances, occasioned the *murder* of the *child*; and therefore it may well be termed *pernicious*, in the most emphatical sense of the word. See before, *index to vol. ii. tit. CHILD-MURDER*. See also the doctrines of the *Albigenses* and *Lollards*, before p. 243.

wise

wise part; any more than the man who lends a large sum of money without the due execution of the *bond* or *mortgage-deeds*; but he who can take an undue advantage, in either case, must be a villain in grain. In the money-affair, he would be thought so, and treated as such—a *court* of justice would be open to the *injured*, and redress afforded; but in the other case, though a villainy attended with irreparable mischief, the very *law itself*, as it *now* stands, bars all redress, consigns the wretched female to destruction, and leaves the man, to ruin as many more women as he can deceive.

All this is owing to our following the *Papist* plan, which has been so much set forth at large in the former part of this *volume*; owing to *this* it is, that we make *marriage-ceremony* what it is not, and do not make *marriage itself* what it really is.

Our *lawyers* can well distinguish between that which raises the debt or obligation, and that which is the security for the payment of the *one*, or for the performance of the *other*.

Our *casuists* would find little difficulty in determining, that a man is equally bound in *conscience* to pay a sum of money which he has borrowed, whether the *lender* has taken a written *security* for it, or whether he has not; or whether the money was lent before an *hundred* witnesses, or only when the *lender* and *borrower* were alone in *private*.

Now, let what has been said be taken all together, and let none charge the *author* with depreciating

depreciating those *securities* which men take of one another for the payment of money; let none say he wants to diminish the public revenue by what he has said on the subject of *bonds*, and other *deeds*, which carry *stamps*; or that he means to lessen the obligation on people to pay their debts, because he contends that *in foro conscientiae*, and as in the sight of the *Judge of all*, a man would be as much obliged to pay what he owes, *without* any *bond* or *mortgage* as *with* it; what he has said on this subject, tends to prove, that if *men* were what they ought to be, and what the *divine law* requires them to be, every man's *word* would be as *good* as *his bond*; but that, as things are, it must be allowed, that *most* men's *bonds* are better than their *words*.

Ultima Cælestium terras ASTRÆA reliquit—

Therefore, in *all* cases it is *prudential*, because in *most* necessary, that the *creditor* should have something more substantial to depend upon, than the bare word of the *debtor*; and the *lender* be secured against the *borrower* by something of more notoriety than can possibly arise from a private transaction, or verbal agreement merely between themselves.

What is here said, I mean to apply to *marriage-ceremony*, by whomsoever, or howsoever, or wheresoever administered. Like all other *securities*, it tends to the ascertaining of property; to the protection of the honest and undesigning, against the machinations of treachery and deceit; and answers too many
valuable

valuable purposes to *society* in general, not to be enforced by the *severest laws*.

But, as in all other *contracts*, different nations have different modes of making them, so it is with respect to *marriage-ceremony*. As we find no trace of such a thing in the scriptures, unless the payment of the *מָהַר*—or dowry of 50 *shekels* to the *father of the damsel*—may be so called, we cannot, on any *divine authority*, say, there was any fixed or determinate *form* whatsoever; and even this *payment of the dower* was omitted in the case of *concubines*, who are also called *wives*, but certainly appear to have been of an inferior rank, though as *lawful wives* as those who were *endowed*. This was the case in the *Christian church*, so late as the time of *Constantine*: see before vol. i. p. 32. n.—and this vol. p. 30.

Were we to search the whole history of the world, we should hardly find many inhabitants of it, without some *marriage-ceremony* or other, and this, because *nature* itself, as now circumstanced, seems to point out a *necessity* for some outward recognition of so important a contract; for, as the corruption of human nature is to be found in all the naturally-engendered offspring of fallen *Adam*, so the dire effects of it have made it necessary to guard against them by some means or other.

As to the *Jews*—"There were, according to the *Talmudists*, three ways of *betrothing*. 1. By a written contract. 2. By a verbal agreement, accompanied with a

“ piece of money. 3. By the parties coming together, and living as *man* and *wife*; “ which last they could not properly call “ *betrothing*, for it was *marriage itself*.”—See Alex. Hist. of Wom. vol. ii. p. 193.

As for their *ceremonies* on the *espousals* or *marriage* (the payment of the *dowry* excepted) they are entirely of *human* invention, and I do not imagine that they are pretended to be otherwise—nor do I suppose that a *Jew* would venture to talk of them as of higher authority.

The *Roman Christians* learned, from their *Heathen* * predecessors, to impose on the *credulity* of mankind, and to make their *priests* the grand engines of that *imposition*. *Numa Pompilius*, the second *king* of the *Romans*, in order to divert his subjects from the pursuits of ambition and violence of arms, multiplied *ceremonies* in *religion*, and gained a reverence and sanction to them, by giving out that he received them nightly from the goddess *Egeria*; by whose direction also he instituted *Flamines*, (*priests* or *arch-priests*) *vestal virgins*, (a sort of *nuns*) the *Salian* priests, and *Pontifex Maximus* (or heathen *Pope*.)—So the *Roman Christians* invented, first *Christian*

* “ *Observavi singularem patrum prudentiam, qui paganorum multa instituta ad pios usus retulerunt. Ego non nego posterorum culpā multa mala inde provenisse.*”

“ I have observed the singular prudence of the [anti-ent] fathers, who applied many institutions of the *Pagans* to pious uses. I do not deny, that many evils accrued from thence, through the fault of those who came after.” *Casaubon*, Ep. 931. *Thuanus*. edit. Alm.

priests,

priests, then a *Pontifex Maximus*, or *Pope*, who, with the assistance of his *Flamines* or *arch-priests*, invented *rites* and *ceremonies*, all which were pretended to be *jure divino*; among the rest, *marriage-ceremonies*; afterwards, these were turned into the *form* of a *sacrament*, and pretended to be *divinely* instituted by *Jesus Christ*; which is just as true, as that *Numa* had his *rites* and *ceremonies* from the goddess *Egeria*.

I have little occasion to dwell any longer on this part of the subject in this place, because the first contrivance, and subsequent progression and increase, of *sacerdotal* knavery and imposition, through a long succession of many ages, has been fully manifested, to the discerning and attentive reader's observation, in the former parts of these volumes, but especially in the *first chapter* of *this*.

In a series of letters written from *Constantinople*, by *M. de Guys*, of the academy of *Marseilles*, to *M. Bourlat de Montredon* at *Paris*—which were translated and published in London anno 1772 — there is a most curious account of some people, who are inhabitants of the island of *Mitylene*, which tends to shew, that there may be some respect for *marriage-ceremony*, where there is none for the sacred obligation of *marriage*.

The title of the book is —“ *A Sentimental Journey through GREECE* ”—and, in one of the *letters*, of which the narrative is composed, *M. de Guys* relates a very extraordinary custom among the *Mitylenians* —“ Now
“ let

“ let me inform you,” says he, “ of a custom
 “ subsisting at this day in the same island.
 “ About three days journey from the capital,
 “ is a small town, where every *stranger*,
 “ when he arrives, is compelled to marry
 “ one of the *women*, even though his stay
 “ should be for one night only. They gene-
 “ rally present a *maiden* to him, whom he
 “ must take for *his wife*; but if he should
 “ prove to be a man of any property or im-
 “ portance, he has the choice of several to
 “ select one. Travellers of an inferior rank
 “ have no choice, but must absolutely put
 “ up with the *lady* offered to them, who, in
 “ that case, is generally the *oldest* and *plainest*
 “ in the province. A *priest* then appears,
 “ who performs the *marriage-ceremonies* with
 “ great solemnity; a *nuptial-feast* is prepared,
 “ and the new-married couple pass the night
 “ together. The *husband* may depart, if he
 “ pleases, the next morning. If he has any
 “ money or valuable effects, and chuses to
 “ make his *ephemeral* wife any present, it is
 “ received, and indeed expected; but if he
 “ does not, he may proceed on his journey
 “ without molestation. The *lady* thinks
 “ herself sufficiently obliged to him for hav-
 “ ing delivered her from the *reproach* of *vir-*
 “ *ginity*, which it is ignominious to retain,
 “ or to give to one of the *province*. It is
 “ necessary, for the preservation of the *lady's*
 “ *honour*, that her *first* marriage should be
 “ with a stranger. It is of no consequence
 “ whether he remains with her, or ever re-
 “ turns.

“ turns. At the expiration of a year, she
 “ may contract a new marriage with any man
 “ that presents himself, and should the *former*
 “ husband appear, he would have no legal
 “ claim whatever upon her. The fact is,
 “ that a *lady* cannot marry to advantage,
 “ until she has lain with a *stranger*. This
 “ *custom* is said to be of the *most antient date*.
 “ The only alteration which the teachers of
 “ the *Christian* religion have been able to ef-
 “ fect among these people, in the above par-
 “ ticular, is, that the *cobabitation* shall be
 “ preceded by a *marriage* according to the
 “ *forms* of the *church* now established there.
 “ By this compromise, the *priest*, the *bride*,
 “ and *all parties* quiet the scruples of their
 “ conscience.”

“ This *custom* is no less *curious* than well
 “ attested.”

When we meet with such an instance as
 the above—that of the *Troglodytes*, mentioned
Thelyph. vol. i. 213. n.—and numberless others
 which might be mentioned—what a *chimæra*
 is that of the *philosophers*, who contend for a
religion of nature, or principle of *morality*
 common to all mankind, *mores communes natu-*
ræ rationi consentanei, as *Grotius* speaks! *Cicero*
 observed very truly, that, “ *there is nothing*
 “ *so strange, which has not been maintained by*
 “ *philosophers;*” and, among the rest, the *νομᾶι*
εὑροῖαι, or primary and innate principles, or
 notions, which are so accurately discussed and
 refuted in the first book of *Mr. Locke's Essay*
 on Human Understanding.

Some few *savage* nations, which we meet
 with

with accounts of, seem, if we believe the relations which authors have given us, to have little, if any, notion of *marriage-ceremony*; among these may be reckoned the inhabitants of the island of *Otabeite*, who are said “to pursue incontinent gratifications, wherever inclination leads them;” but when a woman becomes *pregnant*, the “father of her child *thereby* becomes her husband.” Alex. Hist. of Wom. vol. ii. p. 187.

These *savages*, and *we Christians*, are much upon the same establishment, as to “the pursuit of incontinent gratifications, wherever inclination leads them”—but as to the consequences of this, with regard to the *women*, the *females* at *Otabeite* have vastly the advantage of *ours*; for the *Christian* women, on their becoming *pregnant*, if not secured *verbo sacerdotis*, are treated with a degree of barbarity and inhumanity, which we may suppose the *savages* would be ashamed of.

The only object among us, is to secure a *parish* from the expence of what we call a *bastard*—therefore, if a female be *pregnant*—which is frequently the consequence of men’s “being at liberty to pursue incontinent gratifications wherever inclination leads them”—she is persuaded by certain *tyrants*, called *parish-officers*, by the gentle eloquence of being threatened with *bridewell* or *starving*, to go before a magistrate, and to swear the *child* she goes with, to the *father* of it; this being done, a warrant goes forth to

to apprehend the said *father*, and if he is caught, he is to find security to indemnify the parish, to appear at the next quarter-sessions, or must go to gaol; but no part of his recognizance engages for any amends or security to the *woman*, or to have any thing to do with the *child*, farther than to save the *parish* harmless from any *burden* it may bring upon it. If the fellow runs away, which is a common case, the poor *female*, after a *month* from her lying-in, becomes an object of one of the most severe and brutal statutes that could well be penned, viz. 7. Jac. c. 4. § 7.

“ Every lewd woman which shall have any
 “ *bastard*, which may be chargeable to the
 “ parish, the justices of the peace shall com-
 “ mit such lewd woman to the house of
 “ correction, there to be punished and set on
 “ work, during the term of one *whole year*.”

—The readings on this clause, as cited by *Burn* from *Dalton*, are worth attending to.—“ *Shall commit such lewd woman*]—But
 “ such punishment shall not be, until after
 “ that the woman is delivered of her child;
 “ neither are the justices to meddle with the
 “ woman, until the child be born, and she
 “ strong again.”—i. e. till (as we say) her
month is up.

“ Also it seemeth, that such *bastard-child*
 “ is not to be sent with the mother to the
 “ *house of correction*, but rather that the child
 “ should remain in the town where it was
 “ born, (or settled with the mother) and
 “ there to be relieved by the work of the

“ *mother*, or by relief from the *reputed father*: and yet the common opinion and practice is otherwise, viz. to send the *child* with the *mother* to the *house of correction*; and this may also seem *reasonable*, where the *child sucketh* on the *mother*.”

Dalt. c. 11.

“ But it seemeth much the best, to commit the *mother* only, and not the *child*, but leave it to her choice whether she will take it with her, and if she will not, then to send it to its lawful place of settlement.”

I am clearly of Doctor Burn's opinion, that “ it seemeth much best (i. e. most politic) to commit the *mother* only, and not the *child* ” —because it relieves the *parish* from its burden much sooner, than by suffering it to go with its mother to the *house of correction*, from whence, being preserved by the breast and attention of its poor mother, it may return again, and then it may be chargeable to the *parish*; whereas, if it be torn from the mother's breast at the tender age of one month, and be committed to the custody of a certain species of *she-wolf*, called a *parish-nurse*, unless it should have the constitution of *Romulus* and *Remus* put together, the *parish* will soon be rid of its incumbrance. These sage and pious *matrons* commonly supply the place of the *mother's milk*, with as little nutriment as they can, with any tolerable hopes of steering clear of a *coroner's inquest*, or of not diminishing their own scanty stipend too much, administer. Others of them are very *public-spirited*,

rited, and have too much *care* for the welfare of the parish, to suffer an incumbrance upon it longer than needs must; and they usually adapt their *care* of the child accordingly.

But suppose the wretched mother, influenced by the natural feelings of maternal tenderness, takes with her her poor infant, to be a sharer in the cold and filth of a prison, and for a *whole year* is to endure the stripes of her *punishment*, inflicted by the unrelenting hand of a sour gaoler; suppose her set to some laborious work, and at the same time to nourish her child, and to have no recruit for her exhausted strength, but the scanty provision of the * *gaol-allowance* of bread and water; in what a condition must she be?—to what state of constitution may she be reduced?—but, which is still worse, what are the probable consequences of her being shut up, for a whole *twelvemonth* together, with *common whores* and *thieves*, but that all the remains of decency, modesty, and of the comparative innocence which she carried with her, should all be obliterated, and she should become, on her return to her parish, a common pest and nuisance, and fit for nothing but to be exterminated from the face of the earth?

I question not but the terror of this statute has occasioned many a CHILD-MURDER, and wonder not, that, fourteen years afterwards, the legislature should be compelled to pass a law in hopes of putting a stop to it—*viz.*

* This, I have been informed, amounts to *three half-pence* a day.

21 *Jac. I. c. 27.* the preamble of which clearly confirms what I am now saying—

“Whereas many lewd women that have
 “been delivered of bastard-children, to
 “AVOID THEIR SHAME, and to ESCAPE
 “PUNISHMENT, do secretly *bury*, or *conceal*
 “the *death* of their children; and after, if
 “the *child* be found *dead*, the said women do
 “alledge, that the said *child* was *born dead*;
 “whereas it falleth out sometimes (although
 “hardly it is to be proved) that the said
 “*child* or *children* were *murdered* by the said
 “*women*, their lewd *mothers*, or by their as-
 “sent or procurement—For the preventing
 “therefore, &c.”

Now, what would have become of such a woman under the DIVINE LAW?—She would have been deemed the man’s *wife*, and as such he must have maintained and cohabited with her—and so it would be among the *Jews* to this day.—So it was *once* by the law of *France*—so it is *now* by the laws of *Switzerland* (see vol. ii. 335, 1st edit.—297, 2d edit.)—and so it is (to our shame be it spoken) among the *savages* of the *island* of OTAHEITE!

By the way, we must not forget, that while the poor creature has so much done by the *civil power* for the correction of her *body*, it is by no means improbable, but, on due *presentment* by the *right trusty* and *well-beloved* the *churchwardens*, the *spiritual court* may think it worth their while to do something *pro salute animæ*, “for the good of her soul.”—

See

See the case of *Ann Jenkinson*, Thelyph. vol. i. p. 67, n. If these two modes of punishment were steadily and uniformly applied, it might be of *prodigious service* to parishes, in easing them from the burden of *lewd women* and *bastard children*, as furnishing a very strong inducement to the *mothers* to *cut their infants throats*, rather than run the risque of so much shame and misery; the consequence of which would probably be, that the *hangman* would ease the parish of the burden of the *mother*.

Anno 1780.—At *Nottingham*, a poor girl of a neighbouring village was libelled, in the *spiritual court*, for *fornication*; the case was, that, some time before, she had had a child that was born a *bastard*; she was sentenced by the court to do *penance*—in order to this, she was to pay down a sum of money, which she had not; my *informant* saw her weeping bitterly under this piece of oppression; however, by the help of a friend's charity, she was at last enabled to pay the *exaction*, and so was delivered from the jaws of *excommunication*.

It should seem, from the conversation which I had with the gentleman who related the above to me, that the poor people in the *northern* distant counties are dreadfully scourged and harrassed with these oppressive exactions, it being the constant custom, in many parts, to punish the unhappy victims with these *spiritual* extortions of money, besides exposing the delinquents to the contempt and scorn of

the whole parish, by setting them publicly in the church in a white sheet.—My *friend* asked some of those whom he was conversing with on the subject, if people did not complain of it as a great oppression and hardship? “O no,” said one, “we like it much, for “we should have so many *bastards* to keep, “as to be quite over-run with them, if it “was not for this.”—How far this observation might hold, I can’t say; but I am afraid, that, from a certain concatenation between *cause* and *effect*, such proceedings are a means of lessening the charge of parishes with respect to *bastards*, more by increasing the number of *murders*, than by any thing else. See before vol. ii. 347, n. 1st edit.—p. 307, n. 2d edit. concerning this *relic of Popery*.

I am acquainted with a certain *magistrate*, who, in cases of this sort, makes the best enquiry he can of the *parish officers* concerning the character of the woman; and if, from what they say, and from other circumstances, he has reason to think, that her situation is owing to the seduction of the man, and that she has had no *concerns* with any other, he always perswades a public marriage; he even inforces his arguments from the scriptures which have been so often mentioned, and scruples not to declare, “that, as in God’s sight, the woman “is already the man’s *wife*,” and therefore to conjure him, as he shall answer it at the day of judgment, to make her so according to the laws of his country. In several instances, conviction has been wrought, the parties have
been

been married, and the magistrate has, on enquiry after them, had the satisfaction to hear, in several instances, that they go on well, and seem perfectly contented. How much for the honour of God, and for the good of the kingdom in general, would it be, if *magistrates* (as in *Israel*) had a power, in all cases, to *inforce* such arguments on the *refractory*, by the coercive power of a wholesome law made for the purpose!

One case I cannot help mentioning, as it tends to illustrate what has been said on the evil tendency of the *marriage-act*.

A young fellow, who had been sworn to as the father of a child, with which a young woman was then pregnant, and who was within a little of her time, being brought by a warrant before the said *magistrate*, was interrogated concerning a point which the girl had mentioned during the time of her examination, which was, whether he had not *promised* her *marriage*? The man owned he had—the *magistrate* then *inforced*, by every argument he could think of, the duty and necessity which the man was under to fulfil his * promise. The man, after some

* Such a *promise*, accompanied by such an *act*, would be deemed by the *ecclesiastical law* a marriage *de facto*, and the man might have been compelled to have solemnized it publicly in *facie ecclesiæ*—but now there's an end of that, and one of the most atrocious and mischievous villainies that any man can be capable of committing, has the sanction of an *act of parliament*, by the express words of which, the perpetrator of it is set free from all matrimonial engagement whatsoever. See before, vol. i. 30, 31. and vol. ii. c. 7. throughout.

little hesitation, owned himself convinced, and consented to *marry* the girl as the *next morning*. The *magistrate* was not a little pleased, to hope, that here was another *female* likely to be saved from *ruin*, another poor *infant* from the infamy and disadvantages of † *bastardy*;—but a check was put to it all, for, as by the *marriage-act* three *Sundays* must intervene for the asking of *banns*, the man's good intent could not be carried into execution without a *licence*—now a *marriage* by *licence* comes to above *forty shillings*, including the *church fees*—the poor fellow, by keeping out of the way for a time, had thrown himself out of work, the poor girl had been turned out of her service, and had been living on the little pittance which had come to her for *wages*, and on the disposal of part of her *cloaths*, till she applied to the parish; so that, between them, they could not raise a *fifth* part of the money. The *magistrate* having, on like occasions, applied himself to the *parish officers* with success, recommended it to those then present to be at

† Many cases might be put, where children, as the law now stands, must *necessarily* be born *bastards*, however willing the *parents* may be to prevent it. As for example—suppose *one* or *both* the parties to be *under age*, their parents dead, and no guardians appointed—they can't be married by *licence*; they can't, through their *poverty*, apply to the court of *Chancery*; the delay of three *Sundays* for *banns* may outrun the time of the *woman's* pregnancy—but how much more, where, as in some poor parishes in *Wales*, and in some parts of *England*, there is no *service* above *once* in a *month*; here *three months* may be to elapse before the *marriage* can be had and solemnized.

the

the *expence* of the *wedding*; one of them seemed inclined to it, but his surly partner interrupted all compliance, by entering his protest against it—" *Noa—noa—we'll do no* " more *vor un*, an't please your worship, we " ha' been at expences *enow aready*—what " wi' hunting *ater* the mon, and coming " backwards and *vorwards* about *zwearing* " the child, and one thing or *wother*, it has " cost the parish as good as *ten shillings*, and " we'll do no more *vor un*."—All remonstrance was in vain, the honest farmer's—" we'll do no more *vor un*," prevailed with his partner, and there ended all hope of the speedy marriage, which had been proposed and assented to. The *magistrate*, therefore, finding the young man without sureties to answer for his appearance, and the impossibility of persuading either of the officers to do that kindness, or "*any more vor un*"—and that he could as soon have repealed the *marriage-act*, or have reconciled it to scripture, common sense, or true policy — made use of his *discretion*, and committed the young man to *prison*, 'till the *three Sundays* should be passed, and the *banns* published; with an order to the *gaoler*, to deliver him, on the *Monday* following the last day of *publishing the banns*, to the custody of the *constable* of the parish to which the *parties* belonged, that the said *constable* should convey him to the parish church at the appointed hour, see them *married*, and then discharge his prisoner.

This

This obligation to send the young man, to live near three weeks among the inhabitants of a common prison, might have been attended with consequences of the worst kind to the prisoner; who could be looked upon as no other than a *victim* to a cruel and unnatural *law*, and whose only crime, for which he was confined, was, that he could neither contract *three weeks* into the space of *twenty-four hours*, nor produce between *forty* and *fifty shillings*, to pay for doing an act of *retributive* justice to his fellow-creature, in the most expeditious manner.

However, the parties were married, and there was an end—the young man turns out a good husband, and the woman a good wife; but there can be little doubt, that there are many cases of this sort, which do not *end* quite so *well*; for of all *experiments* which can be tried for the corruption of the common people, none have been found so thoroughly to *succeed*, as that of sending them into a *gaol*; and to be laid under a necessity of doing this, merely because a man's power of doing a *right* thing is to be suspended for a length of time, beyond his desire and intention to do it, is a sort of practical solecism, unjustifiable in itself, irreconcilable to common justice, inconsistent with sound policy, and a most painful task imposed on the humanity and feelings of the *magistrate*—add to this, one good reason, among others, for the repeal of a law, which may

may occasion these things to happen every day.

The more merciful *Romish* ritual says—“*Publicationibus factis tribus diebus festis;*” and our own ritual (which follows the *Romish* pretty closely) till superseded by the *marriage-act*, said—“*three Sundays or holy days*”—so that, by possibility, a *few* days might determine the matter :—but now the interval between the *marriage-ceremony* and the *contract* is so far protracted, and so far out of the reach of the *poorer* sort to shorten by the enormous expence of *licences*, as to form, in many cases, a very *inconvenient*, in not a few, a very *dangerous* delay—and is surely well worthy the very serious consideration of the *legislative* powers.

Till an alteration be made, we certainly are far behind, in point of policy and humanity, as well as in conformity to the *divine law*, the savages of *Otabeite*, and perhaps many others—who, *not having the law*, do by nature the things contained in the law. Rom ii. 14.

Though the *Otabeiteans*, and we, differ in what has been before mentioned, yet we wonderfully agree in certain other particulars. Dr. Alex. Hist. Wom. vol. i. p. 286, says—“*As POLYGAMY is not allowed among them*” (there we agree) “*they have a society among them called ARREOY, in which, to satisfy the lust of variety, every woman is common to every man.*”—And have we no such societies? what are our *brothels*, what are our public

public streets after dark? what, many assemblies of men and women, of more ostensible decency perhaps, but really and truly so many ARREOYS?—" *And when any of these women happens to have a child, it is smothered in the moment of its birth, that it may not interrupt the pleasures of its infamous mother;*"—Children are rarely murdered by their mothers, among us, merely from this principle; but if from fear, shame, or the dread of severe punishment, women are terrified into the murder of their children, it amounts much to the same, with respect to the children; and if we take into the account the numbers destroyed by causing abortion, an art which it does not appear that the savages have as yet acquired, and those which are destroyed either in the birth, or after—many of which murders are never discovered, perhaps more than are discovered—it is hardly to be doubted, but this island equals at least, if not exceeds, in numbers of murdered infants, the island of Otabeite. Their Arreoy seems to be confined within a much smaller compass than ours; for as to the liberty our men enjoy, to ruin as many women as they can, it is unconfined and unlimited throughout the kingdom.—
*"but in this juncture, should nature revolt at so horrid a deed, even then the mother is not allowed to save the child,—*This, I confess, goes beyond us; and yet, the taking a young infant from the mother's breast, and committing it to the care of a parish-nurse, on sending the mother to be punished in the house of correction,

correction, is not without some *affinity* to this practice.—“*unless she can find a man who will patronize it as a father;*”—This brings the matter into somewhat like a parallel again, as many children among us have been *murdered* through the *desertion* of the *pregnant* woman by the *father* of the *child*.—“*in which case, the man is considered as having appropriated the woman to himself, and she is accordingly extruded from this hopeful society.*”

This particular has already been sufficiently observed upon, and the advantage of the *Otabeitean* pregnant women, above that of the *European*, pointed out.

To attempt a recapitulation of all the *marriage-ceremonies* of the different nations of mankind, would be a work far exceeding the limits as well as the intention of this *volume*; but whatever they may be, as to *matter* or *manner*, they are doubtless of *human* contrivance, and therefore ought only to be looked upon as the several modes of establishing a *civil-contract*, not only between the *parties*, but with respect to the *society* where their lot may happen to be cast.

Dr. Alex. Hist. Wom. vol. ii. p. 207, observes as follows:—“In the prosecution of our enquiry, we have scarcely discovered among other primitive nations” (besides the *Jews*, which he had mentioned before, as having no religious marriage-ceremonial revealed to them) “we have scarcely discovered any of them even pretending that marriage (i. e. marriage-ceremony) was the institution

“stitution of their gods; but of their first le-
 “gisflators, as *Menes* in *Egypt*, and *Cecrops* in
 “*Greece*; nor have we found, even among the
 “*Jews* themselves, that either *prophet* or
 “*priest* were concerned in the *celebration* of
 “*marriage*, though they managed every thing
 “that was considered as *sacred*, or of *divine*
 “institution: the same was the case among
 “other primitive nations; they had *priests*
 “to whom the celebration of every holy rite
 “was committed; but their *magistrates*, and
 “the relations of the contracting parties,
 “were the only people who concerned them-
 “selves about *marriage*; a strong presump-
 “tion, that it was not considered in any other
 “light than as a *civil-contract*.”

There is, however, with regard to the *Jews*,
 no reason to talk of “strong presumption,”
 for the light itself is not more clear and evi-
 dent, than that, throughout the whole law of
Moses, there is not the least hint or trace of
nuptial ceremony of a religious kind, or the
 interference of any *minister* of religion in the
 matter—therefore the throwing *marriage* into
 the hands of *Christian churchmen* (and by what
 means and by what degrees that has been
 done clearly appears from the foregoing evi-
 dence) and pretending that a ceremonial to
 be administered by *priests*—*jure divino*, was ne-
 cessary and essential to make *marriages* valid
 as in God’s sight—and that all who came to-
 gether, and lived together, without it, lived
 in “a state of whoredom and fornication”—
 is also more than a *strong presumption*, for it
 amounts

amounts to *demonstration*, that *Christian churchmen* have been the greatest, and most errant and complete set of KNAVES, that ever infested the earth. None but *such* could, for their own profit and interest, have misinterpreted, perplexed, and confounded, as they have done, the holy and simple ordinance of GOD with respect to *marriage*, and then throw the dust of *priestly rites and ceremonies* into the eyes of the laity, to prevent a discovery of their *imposture*.—How all this originated, how it has been carried on, and how it stands at this hour, has been fully declared.

One should hardly think, that *such a contempt* poured on the *Hebrew scriptures*, in which the whole *mind and will* of JEHOVAH stands written, as with a *sun-beam*, touching those wise and beneficent regulations, which HE was pleased to ordain with respect to the *commerce of the sexes*, could admit of *aggravation*; but this matter leaves no sort of doubt, when we find the *impostors* placing the great *reviver, interpreter, and defender* of the *law* of JEHOVAH, at the head of their *faction*, and representing HIM as instituting a *new ordinance of marriage*, appropriated to *Christians*—this upon the foundation of a *new law*; and thus rendering *null and void* the fixed and unalterable *decrees of Eternal Wisdom*—on the important and interesting subject of *marriage*.

Let those who think I carry this matter *too far*, first read their *Bible*, then let them take *Du Pin's history of Ecclesiastical Writers*, &c. or, if they do not care to read over so voluminous a work, let them consider well the preceding

preceding extracts from it; let them then compare the whole of *our system*, with what they find there upon the subject, and if, after all this, they do not agree with me, then let them take for their motto—*Non persuadebis, etiamsi persuaseris.*

In the foregoing long detail of evidence, we have often met with the word *Church*, which is the *English* translation of the *Greek* ἐκκλησία, and of the *Latin* *Ecclesia*; these seem derived from the *Greek* ἐκκαλεῖν to *call out*, and denote the *church* of GOD, or an *assembly* or *society* of men, *called out of mankind* by the WORD of GOD; these are, *through sanctification of the spirit, and belief of the truth*, (2 Theff. ii. 13.) united to GOD and to each other, by the THREEFOLD CORD of FAITH, HOPE, and LOVE. They have ONE LORD—ONE FAITH—ONE BAPTISM. See Eph. iv. 5. All the members of this *society*, however *distressed*, *distinguished*, or *dissipated* over the face of the earth, form, in a collective sense, the *holy Catholic church*; and where only *two or three* of them *meet together* in the name of their *common LORD*, HE is in the *midst* of them. Matt. xviii. 20. Therefore there are as many *churches* on earth, as there are such societies thus *meeting together*—but these, as well as the *individuals* which compose them, though *many*, form but one *Body*, of which CHRIST is the HEAD. Eph. i. 22, 23.

For my own part, I doubt not but there are members of this *church* among all *sects* and *parties* of professing *Christians*, and it dilates my heart with a transport of joy, to think

think how many *thousands*, now divided from each other from various causes of separation, as to place, situation, and other unavoidable circumstances incident to the present state of things—perhaps divided by the narrowness of a *party*, or the prejudices and bigotry of *sectarian** zeal, which, like impassable gulphs, stand between them—shall one day meet together, and join with one heart and one voice,

* In the year 1644, at the treaty of *Uxbridge*, the reverend *doctors* of the *king's* party affirmed *Episcopacy* to be *jure divino*—the reverend *ministers* of the other party, affirmed *Presbytery* to be *jure divino*. These disputes were carried on with great warmth, and pretty equal success, for both parties ended just where they began, and full as wide from each other's sentiments.—The foundation of *all*, seems to have been, something very like that of a certain dispute, which is recorded *Mark* ix. 34. If *both* sides had attended as they ought to the *rebuke* given ver. 35, matters would have ended more amicably—however, a third *jure divino* started up under the notion of *Independency*, which, by the help of the *jure divino* of *Presbytery*, overturned the government both in *church* and *state*—cut the *king's* head off—and then took all into their own hands—till the intolerable tyranny they exercised upon one another, obliged them to restore the antient government again. After this, the *Episcopalian jure divino* took care to secure itself, and pay off old scores, by cruel and oppressive laws against *dissenters*, which erected a *tyranny* sorely felt by *these* *last*; till, after the *Revolution*, its *claws* were cut, and its *teeth* broken; by the truly *Protestant* and *Christian* *toleration-act*.—However, history informs us, that persecution and intolercancy are too congenial with human pride and love of power, to be chargeable only on the *church of Rome*. All *sects* and *parties* have, in their turns, been calling for *fire from heaven*, as it were, against one another, little thinking *what manner of spirit they are of*, or what must become of them, if the JUDGE OF ALL should deal with them as they would deal with each other

in the united praises of their glorious HEAD, and blush to think, that they have suffered any outward distinctions to influence or lessen that inward affection, which, with respect to each other, ought to have been a transcript of the Redeemer's love to them. See John xiii.

34.

Such is the *church-militant* on earth, which, with that *triumphant* in *Heaven*, makes but one *family* (Eph. iii. 5.) which consists of the *redeemed* out of every nation, kindred, people, and tongue. (Rev. vii. 9.) This, in a *comparative* view, is styled—a *little flock*, Luke xii. 32; but, when *all* shall be *gathered together*, will appear to be a *great multitude* which no man can number.

After all this, it must surely appear to the diligent reviser of the former part of this volume, that the word *Church* is to be understood very differently, in those extracts from the annals of *Popery*, which so long detained his patience in the perusal of them.

There, this ill-understood and much-abused word *Church*, denotes a set of people, described by the apostle, Acts xx. 30. as *grievous wolves, entering in and not sparing the flock—speaking perverse things to draw away disciples after them.*—We have seen how early this *mystery of iniquity* began to *work*—how, under the name of THE CHURCH, a *kingdom of this world* was erected, and its *throne* filled with the *man of sin, who opposeth and exalteth himself above all that is called God, or that is worshipped; so that he as God sitteth in the temple of God,*
shewing

shewing himself that he is GOD. 2 Theff. ii. 4. We have seen, how, in consequence of this, and in order to support this same CHURCH, the minds of men should be filled with such ideas as were best suited to maintain its dominion, not only over the *people*, but even over the *kings* of the earth.—Hence false *traditions* took place of the *written scriptures*—*legends*, full of lying *miracles* and *wonders*, supplanted the *records* of *divine truth*—*laws* of *councils*, *synods*, and *Popes*, were substituted for the *laws* of *Heaven*—the love of *power* supplanted the humble spirit of the *gospel*—*ambition* and *pride* drove out *lowliness* and *meekness*—an iron *sceptre*, wielded by the hand of *tyranny*, succeeded to the mild and gentle reign of *Christian* liberty—adamantine chains of *ignorance* and *superstition* were forged for the reason and understanding of mankind—the *easy yoke* of CHRIST was laid aside, and the intolerable burden of *church-power* crushed all who refused to submit to it.

Such being the form and government of this *worldly kingdom*, its *ministers*, who were to carry it on, must be suitable to the nature of it. Hence arose, in the shape, and under the venerable names of *cardinals*, *archbishops*, *bishops*, *priests*, *deans*, *canons*, *prebendaries*, &c. &c. as many *Lords* over God's *heritage* as the wit of man could invent, or the power of the *Pope* create; *riches* * and *worldly grandeur*

* It was a fine check which was once given to a certain *Pope*, who was, with no small satisfaction, def-

deur gave them pre-eminence, and every means to advance these were devised and employed. Among the rest, the ordinance of *marriage* was framed anew; its antient and simple dispensation afforded no *revenue*, added no *importance* to *churchmen*; where it was *divinely forbidden*, no *dispensation* from *man* could authorize it; where it was *divinely allowed*, no *licence* from *man* could add to its perfection and obligation:—this was found necessary, therefore, to be changed; the *thing itself* must be destroyed, and framed anew; its *nature* and *essence* must no longer remain upon the CREATOR's institution, but depend on certain *rites* and *ceremonies* of *man's* invention—these were to be supposed to be coëval with the dispensation of the *gospel*, and the laws of JEHOVAH, by which it had been regulated and settled from the *beginning*, were deemed *antiquated* and laid aside. We have seen the degrees by which this was effected, from the first introduction of clerical *benediction*, to the total invalidation, not only of the *divine law*, but of all *civil contract*, by the *council of Trent*—we have seen what mischiefs have been produced to the world, more especially to the *female sex*, by these *papal* inventions; and happy would it be for *millions*, did we also see, that nothing can obviate these mischiefs, but returning to canting on the great accession of *riches* to the *church*—“ Now,” said he, “ the church can no longer say, as St. Peter did—*Silver and gold have I none.*”—“ No,” answered one, “ Neither can it say, as he did—“ *In the name of JESUS CHRIST of Nazareth, rise up and walk.*” See Acts iii. 6.

that

that from whence we are fallen — the HOLY, WISE, BENEFICENT, and SALUTARY LAWS OF HEAVEN.

The way to do this, is to restore to the *civil power* that which has been evidently taken from it; to suffer no longer a *system* to remain, which hides from the eyes of mankind the real and true nature and obligation of the *divine ordinance*. The *civil magistrate* ought to have the *sole* jurisdiction over *civil contracts*, in *this* as well as in all other cases — and surely a way might easily be found, by which this might be brought to pass, so as to answer every good end that can possibly accrue from the present mode of marriage, and defeat those mischievous ends which are the infallible consequences of the present system; above all, that *anti-scriptural* and destructive notion, that men are under no obligation to that retributive justice which God has commanded, unless bound upon them by the word of a *priest*. On such occasions, the access to the *magistrate* should be facilitated as much as possible, and his power, like that of the magistrates in *Israel*, should instantly compel such an observance of it, as they would have done in the like case. See before vol. ii. p. 73. 1st. edit.—p. 67. 2d edit. This would rid the world of all the mischief which now accrues from the difficulties laid in the way of *marriage*, by *ecclesiastical* contrivance, and by the false policy of the *marriage-act*.

One would think, that in such a country as this, when we are driven to such a state of *depopulation*, as to make laws to invite *foreigners*

to navigate our ships, and find ourselves obliged to allow our merchants *three fourths* of *foreign seamen*, in order to carry on our trade, (See 20 G. III. c. 20.) all the causes of *depopulation* should be well considered, and as many of them removed as possible; that *marriage*, so far from being clogged with difficulties and impediments which are solely the inventions of men, should be facilitated and encouraged, by being restored to its *antient* footing, as it appears to have been ordained, instituted, and regulated, by the GREAT LORD OF HEAVEN AND EARTH.

This would also, as has been already shewn at large, greatly destroy that *destroyer* of so many—*public prostitution*.—It would rescue multitudes of breeding women from that fatal obstacle to *population*, the *promiscuous* intercourse of the *sexes*—it would be a means of eradicating that dreadful *disease*, which is the baneful consequence of it, and which, in different ways, robs us of so many people.

By recommending a restitution of the *divine law*, I am recommending no *new invention*, no *Utopian* scheme, no *medicine* for our sad and mournful state of *constitution*, but what has been tried and found to succeed; there is not an *ingredient* in it, but what has been thoroughly *weighed and prepared by unerring wisdom*.—Let us only take a view of its effects on *Israel of old*, who were as *the sands on the sea shore*, and as *the stars of heaven for multitude*.—The *plan* which they pursued was of GOD—from whence the plan which we are pursuing is *derived*, or by *whom devised*,

I should imagine the *reader* can be at no loss to determine, after having attentively read, and considered, the contents of this, and of the two preceding *volumes*.

From the foregoing *evidence* it also appears, from whence we derive our oppressive and unjustifiable notions of *divorce a vinculo matrimonii*—of permitting men to forsake women entirely, if not *married* to them with every given requisite of some *human form*, though such *requisites*, or the reasons of annulling marriages, which are wholly grounded on those *requisites*, so far from having *scripture-warrant*, directly oppose the *mind* of God as revealed in the *scriptures* upon the *subject*.

We may farther be instructed, whence is derived the depriving men of that most important privilege of *divorce* in case of the wife's *adultery*, and *forbidding* them to *marry* others during the *adulteress's* life, unless set free by *human authority*; this at so enormous an expence as few can afford.—Thus is a man placed in a most cruel situation, either to share his wife with others, and be liable to the maintenance of other men's children; or, if he separates himself from her, he is reduced to all the temptations and mischiefs of a *celibacy* which is imposed on him by the sole tyranny of *human authority*, without any power whatsoever of flying to that redress, which is graciously and gratuitously afforded him by the God of *nature*. We have seen the dreadful consequences which attended the *celibacy* of the *clergy*—we are astonished at

the wickedness of those *canons* which enjoined it—we wonder, that, to this hour, it should be continued in the *Romish* church—we approve, and justly, in the highest terms, the banishment of it from among the *Protestants*—how is it that we do not see, that our continuing to follow the *Popish* canons relative to *divorce*, is productive of a sort of factitious *celibacy*, with respect to men who cannot afford divorces on the footing on which the *Pope* placed them, and on which we have in effect continued them, only with having increased the expence an *hundred fold*, and by this having placed them so much further out of the reach of the *injured*—how is it, I say, that we cannot see, that *this sort* of *celibacy* is attended with all the mischiefs of the *other*, and, without doubt, as great an incentive to *adultery* and *whoredom*, and, in consequence, to the *ruin* of *women* both *married* and *unmarried*? What difference can it possibly make to a man, whether he be left a wretched prey to his passions, because he has *taken orders*—or because his *wife* is become *no wife* to him, and he is forbidden to take *another*, but on impossible terms?

We have had also laid open before us, in the preceding long testimony, the insult put on the *ordinance* of *Heaven* by the several *canons* which were made for preventing *clandestine marriages*, and making them *null* and *void*—a matter which was so far from being unanimously agreed upon, even at the *Popish council of Trent*, that *Cardinal Varmienſe* ab-
sented

fented himself the day on which the voices were to be collected for the *decree*; and no less than *fifty-three* others of the *council* gave their voices against it—"for, that, marriage " being a *divine*, not an *human* ordinance, " could not be dissolved by any power of man."— See before vol. ii. p. 39. 2d. edit. n.—p. 41. 1st. edit. n.

By what art of *logic* can it be made out, that this is not as good a reason against our " act for preventing *clandestine marriages*," as it was against the proceedings of the *council* of *Trent*? Or how can the *influence* of that *great man*, who brought in the *marriage-act*, and who, by dint of the weight of that *influence*, carried it through all its stages in *parliament*, create a more *scriptural* sanction of that law, than the *influence* of the *Pope* over the members of the *council* of *Trent*, could justify passing the *decree* for preventing, and making void, *clandestine marriages*?

We likewise may see the power assumed to vacate *marriages*, which are had and solemnized before a certain time of life, which is arbitrarily fixed to the age of 21 years in both parties, unless had by consent of *parents* and *guardians*. A *Pope* of *Rome* could fix the age of the *man* at 30, and of the *woman* at 25: we are more moderate—but where doth *God* make *such* marriages void?

The law, antecedently to the *marriage-act*, stood thus, viz.

" From the age of *seven* to the age of
 " *twelve* as to the woman, and of *fourteen* as
 " to

“ to the man, they cannot contract matrimony *de præsenti*, but only *de futuro*.

“ A man, so soon as he hath accomplished the age of *fourteen* years, and a woman, so soon as she shall have accomplished the age of *twelve* years, may contract true and lawful matrimony.

“ But by *can. 100* — no children, under the age of *21* years complete, shall contract themselves without the consent of their parents or guardians, and governors, if their parents be *deceased*.” — It is to be observed, that here is nothing said of vacating actual marriage. See *Burn's Eccl. Law*, tit. *Marriage*, § 2.

By 25 of Hen. VIII. c. 21, power is given to the *archbishop* of *Canterbury*, to grant *faculties*, *dispensations*, and *licences* — as the *POPE* had done before. This *Papal* power is reserved by the *marriage-act* to the *archbishop*, who, by virtue thereof, can *license* persons to *marry* at any time or place; which *marriages*, without such licence, would be void to all *intents and purposes* whatsoever! So that now, all that glorious and beneficent plan, which was ordained of *God*, for regulating the *commerce of the sexes*, and more especially for the preservation and protection of the *female sex*, is set aside, and we are to consider the validity of the *divine ordinance of marriage*, in all cases, as dependent on the laws of men, and in very many cases, as narrowed into the compass of an *archbishop's licence*! — *Deo non obstante*.

Thus

Thus have we been brought to a thorough acquaintance with the whole doctrine of *marriage*, as it is in *deed* and in *truth* the ordinance of God, and as it is now in *deed* and in *truth* a creature of the state, or rather a sort of creature of *Popish* extraction, yet of the *amphibious* kind, partaking partly of *ecclesiastical law*, partly of the *civil municipal law*, but hardly a trace remaining of its antient conformity to the LAW OF HEAVEN.

The effects and consequences of all this have been clearly pointed out, and laid before the *public*—ocular demonstration proves their truth, and every day's experience brings in its evidence for the necessity of REFORMATION.

Lastly, and upon the whole—It does appear, that *Christian churchmen* have imitated the *apostate Jews*. The cause *these* had to serve was the subversion of *Christianity*; therefore, when “they got the New Testament “ into their hands, and saw the evidences it “ was built upon, they turned *Masorites*, “ *Rabbies*, Expounders, Scribes, &c. patched “ up *Talmuds*, *Mishnas*, *Cabbalas*, &c. and at “ last set up that outrageous impostor *Mahomet*; all to facilitate their main plot.”—See Hutch. Abr. p. 205.

So when the *others* had framed a plan to establish a *worldly kingdom*, and to wield a *sceptre of despotism* over their subjects the *laity*—when they saw the evidences against their whole plan, which were contained in the *sacred writings*—they turned *Commentators*,

tors, Expositors, Traditionists, &c. patched up *Bulls, Decrees, Canons, Synodal Determinations, &c.* and set up that outrageous impostor the *Pope*, to facilitate their main plot against the liberties and properties, the understandings and consciences of mankind.

Whereas, in truth and in fact—

The whole of *JEHOVAH's institutions* was renewed to the *Israelites* at mount *Sinai*, minutely described and recorded in the *law* committed to their custody, and ordered to be preserved as a sacred *depositum* for the benefit of all nations—the long succession of *prophets* confirmed its stability and importance—and the whole of the New Testament refers us to no other foundation for the truth and obligation of all its precepts.

It follows then, that, as *JEHOVAH* created man upon the earth—*commanded* the increase and propagation of the human species—*ordained* the means of it—*circumscribed* those means, by positive statutes, as to His infinite wisdom seemed good — no *man* or *men*, of any *description* * or *character* whatsoever, hath or have any power or authority whatsoever, to add to, diminish, change, or alter, one single *statute* relative to *marriage*, as to who

* “ As surely as God hath revealed true religion, so surely has he inhibited magistrates, and all others, from establishing any thing *contrary* to it, or *deviating* from it.” *Confessional*, 3d edit. p, 258. — This appears to be so self-evident an *axiom*, as to admit of no controversy; and yet, as we have seen from the foregoing long detail of evidence, has been practically denied for many ages.

may

may or who may not intermarry—what does or does not constitute it as valid and obligatory in the sight of God, either with respect to the parties themselves, the lawfulness or unlawfulness of their issue, or any circumstance whatsoever concerning the divine ordinance delivered in the *revelation* of God's *mind and will*, and *recorded* in the *book of the law*.

Much less, if possible, have they any power or authority to forbid *marriage* where God hath allowed it—to make that *criminal* which he hath made *lawful*—that *null and void* which he hath *established*—that *infamous* which he hath made *honourable*.

What abundant reason then hath God to complain of the *Christians*, as he did of the *Jews*—Ezek. vi. 6.—*They have refused my judgments, and my statutes, they have not walked in them?* And again—Amos ii. 4.—*They have despised the law of JEHOVAH, and have not kept his commandments, and their lyes caused them to err, after the which their fathers have walked.*

Many other remarks might be made from the foregoing long detail of incontestible evidence, which probably have not escaped the intelligent *reader's* observation; I do not at all wish they should, as each of them must tend to discover the frauds and fallacies which have been made use of, to wean the minds of people from the *great and only standard of all truth*, and to conciliate a reverence and esteem for the traditions and inventions of men;

men; thus to emancipate them from the *commandments* of God, and to bring them into that worse than *Ægyptian* bondage, a blind submission and subjugation of their understandings to the *sleight of men, and cunning craftiness whereby they lie in wait to deceive.* Eph. iv. 14.

The undeniable proofs of this, are too glaring to be denied, with the least pretence to fairness; and afford a very useful caution, against believing things to be true, because they make a part of a *popular system*, or of a *national religion*. We have seen how many *forgeries* and *lies* have grown into credit and reverence, merely from their introduction by *men in power*, and their having acquired consequence by *length of time*. We have seen how the coercive terror of *capital* punishment has been made use of to inforce a veneration for *falsehood*, and the terrors of *heresy* and *schism* brandished at the heads of those, who have dared to oppose *scripture* to *human tradition*. We have seen laws of God annihilated, and laws of men put in their place. We have seen *Christianity* made incompatible with the *statutes of Heaven*, and the *statutes of Heaven* repealed by *Popish* canons, and acts of *parliament*. All this, and much more, *ejusdem farinae*, we have seen.—I leave it to the common sense and reason of every judicious and observant person to determine—what we *still see*.—And to HIM, who is alone *the supreme disposer of all events—whose ways are not our ways, and whose thoughts are not our*

our

our thoughts—do I most humbly, submissively, and unreservedly, leave whatever *shall be seen* hereafter : most assuredly believing, as most fully persuaded, let appearances be what they may to the eye of human wisdom, that a time will come, when *the kingdoms of this world*—however now divided by human policy—deceived by ecclesiastical contrivance—imposed on by priestcraft—misled by folly—or blinded by superstition—will *become the kingdoms of* JEHOVAH and HIS CHRIST—and that *the earth shall be filled with the knowledge of* JEHOVAH, *as the waters cover the sea*. See Is. xi. 9.—Rev. xi. 15. Then will the *song of Moses the servant of God*, and the *song of the Lamb*, be found in exact harmony with each other—and the *burden of both* be—*Great and marvellous are thy works, LORD GOD ALMIGHTY!—just and true are thy ways, THOU KING OF SAINTS!* Rev. xv. 3.

CON-

C O N C L U S I O N.

THE author having now finished his design, in laying before the *public* as complete a *system*, as he was able to collect and lay together, for the prevention of *adultery*, and of the *public prostitution* of women—which said system is founded solely on the basis of the *divine law*—he desires to conclude the whole, with some very essential parts of his *creed* relative to the subjects herein treated.

1. He does most solemnly *believe*—that the *moral laws* and *precepts* contained in the *Pentateuch*, or *five books of Moses*, were designed for the *moral government* of *God's people* in all *ages of the world*.

2. That all the *statutes* therein, relative to *marriage*, and all that concerns it, as to its *nature* and *essence*, are the fixed and immutable determinations of *Infinite Wisdom*.

3. That no *power* on *earth* can lawfully *add* to, or *diminish* from them, a single *jot* or *tittle*.

4. That all variations, and departures from them, are so many *insults* against the *power*, *wisdom*, *holiness*, and *purity* of the *DIVINE LAWGIVER*.

5. That all *human* contrivances to evade their force, and to destroy their influence and obligation—which were begun by *primitive Christians* and *fathers*—carried on and completed

completed by *Christian churchmen*, whether *Popish* or *Protestant*—are so many instances of human *corruption* and *depravity*, which cannot admit of much greater *aggravation*, than having appeared in the world under the specious garb of *piety* and *sanctity*, while they are ruining the bodies and souls of mankind—but more especially of the *female sex*—and setting the *laws*, made by the God of *nature*, for their security and protection, at open defiance.

6. That all these positions are proved in the foregoing *volumes*, and abundantly confirmed by every day's experience.

7. That, as far as the *divine law* is adopted into our *municipal system*, so far will the ruinous and destructive crimes of *adultery* and *prostitution of women* be checked—but by no other means which ever has, or can be, invented.

8. That we are all more the creatures of *custom* than we are aware of—that the human mind, having no *innate ideas* of *right* and *wrong*, because it has none of that *law* which constitutes them, takes up with the first that offer themselves to its observation; these grow up with it, and form themselves into those various modes of opinion, which divide one part of mankind from another in their sentiments and judgments of things; these are improved into habits by education and usage, and hence arise the opposition and difficulty which *truth* meets with, when it presents itself, on its own simple authority, to the

mind of man, and would supplant those *prejudices* which are found to have usurped its place and influence within the soul.

9. That the *Hebrew* tongue, in which the *divine law* is revealed and recorded, has one fixed and determinate meaning, with regard to the things therein contained; and, that not a single word, phrase, sentence, paragraph, verse, or chapter, has any other meaning *now*, than when first written by the sacred *pen-men* — that every part of the creation, whether animate or inanimate, is just what it is there described, and that all the *moral* actions of men are *good* or *evil*, only as they are conformable, or not, to the true intent and meaning of the unchangeable *laws* of the *Creator* there recorded.—Therefore,

10. To imagine that the *sun* which rules our *day*, and the *moon* which governs our *night*, are not the same identical *luminaries* of which we read in the *Hebrew scriptures*, is not more false, absurd, and unwarranted, than to say that *marriage*, under all the *forms* in which it existed under the dispensation of God, as revealed in the *Hebrew scriptures*, and there recorded, is not *now* one and the same in God's sight. And we are no more authorized to suppose, that it is in the power of *man* to create a new *sun* or *moon*, than we are, that *he* can make *marriage*, as in God's sight, any thing else than what God Himself hath made it in His most *holy law*.—To assert that there is ANY LAW, *holier*, *purser*, *wiser*, or *better* adapted to regulate the *commerce* of

the sexes, than that which JEHOVAH published at Mount Sinai, is *horrible blasphemy!*

11. The author doth most certainly believe, that as the sacraments of the *Lord's Supper* and *Baptism* have been corrupted by *anti-christian* inventions—so the ordinance of *marriage*, as appointed by GOD, and regulated by *His laws*, hath shared the same fate—and that nothing can restore any of these to their primitive simplicity, but an unreserved submission of the minds of men to the pure and perfect WORD OF GOD.

12. He doth also believe, that if ever the increasing ruin and desolation of *the sex*, the *lower orders* thereof especially, should be deemed, as it ought, a serious object of *parliamentary* consideration, as a national *evil* of the most *desolating* and *destructive* kind, not only to *individuals*, but to the *public* in general—if ever the *legislature* should think, with *Baron Montesquieu*, that—“in a popular state, “*public incontinence* may be regarded as the “*greatest of misfortunes*” — if ever they wish to discourage and check *adultery*, *whoredom*, and *celibacy*, which are the causes of *depopulation*, and of other *numberless evils*; and to promote the interests of *chastity* and *marriage*, which are the approximate causes of *population*, and of other *numberless benefits*—no plan that ever can be devised or thought of will ever answer these most desirable ends, like that exhibited to us in the *divine law*; which has been considered and set forth in these *volumes*, and which, however anti-
A a 2
quoted

quoted and laid aside by the craft and policy of *Popish* contrivance, to answer the purposes of *priestly* importance, ambition and wealth, is yet, as it *was*, and ever *will be*, the only *rule of right*—millions have had cause to *curse* the day when it was *laid aside*—millions would have reason to bless the day when it shall be restored.

As for the experiments which have been try'd, to improve upon the *dispensations* of the MOST HIGH, with respect to the *moral* government of mankind, they certainly have precedents of a very early date. They began with our *first parents*, and have been handed down to us in regular succession for near six thousand years. The *Jewish* church was very fertile in such *experiments*, as its *history*, both in the *Old Testament* and *New Testament*, abundantly informs us. As for the *Christians*, they have not been behind hand; they have always had *projectors*, of very high and distinguished abilities in *that way*—their *projects* and *experiments*, with respect to God's *laws* which were to regulate the *commerce of the sexes*, have been set forth without reserve in these *volumes*, but more especially in the *first chapter* of *this*—and what has been the consequence?—We have almost lost sight of that *simple, plain, and salutary PLAN*, held forth to us in the *divine law*—and are now under a *complicated, dark, and destructive SYSTEM*, which, instead of resembling the *plain* and evident *way of duty* pointed out to us in the *statutes of Heaven*, rather may remind

us of *Virgil's* account of the *Cretan labyrinth*, where the devouring monster *Minotaur* was kept—

*Ut quondam Cretâ fertur labyrinthus in altâ,
Parietibus tectum cæcis iter, ancipitemque
Mille viis habuisse dolum; qua signa sequendi
Falleret indeprensus et irremeabilis error.*

Æn. v. 588.

Like as the *Cretan labyrinth* of old,
With wandering wave, and many a winding fold,
Involv'd the weary feet without redress,
In a round error which deny'd recess.

DRYDEN.

Fable tells us, that *Ariadne*, the daughter of King *Minos*, gave *Theseus* a *clew*, by which he found his way out of the *labyrinth*, after having slain the *Minotaur*.

If these *volumes* should be made instrumental to our deliverance, by unravelling the iniquitous *mystery* of human systems respecting *marriage*, and by checking the devastations of those *worst* and most destructive of *monsters* * — *adultery* and *female prostitution*—their *end* will be answered.

SOLI DEO GLORIA.

* See before vol. ii. p. 104. 1st. edit.—p. 98. 2d. edit.

A D D E N D A.

Note, vol. i. p. 263. l. 1—4. 1st edit.—
p. 250. l. 7—10. 2d edit.

IN the *Quæst. et Respons. ad Orthodox.* usually printed with the works of *Justin Martyr*, the former part of the 132d *Question* runs in English thus:

“ If, according to the *Mosaic* law, a man
“ taking the wife of his brother, who was
“ dead without issue, begat *issue* of her, which
“ *issue* by *nature* were his, but by the *law*
“ his *brother's* — how could this be other-
“ wise than wrong, in case the surviving
“ brother had *another* wife, together with
“ whom he also took the relict of his de-
“ ceased brother ?”

THE ANSWER.

Τὸ νόμος μὴ καλύσαντες τὰς Ἰσραηλῖτας γυναῖκα
λαβεῖν, εἰ βέλονται, ἢ μόνον συγγενίδα, ἀλλὰ καὶ
αιχμαλωτίδα καὶ παλλακίδα· ὅθεν ἀρχαίως, ὅθεν
βλαπτει ἐκ τῆς γυναῖκα ἐπὶ γυναίκε λαβεῖν ἀδελφὸν τῆς
τελευτήκοτος, τὸ νόμος μὴ καταλύμενος· πᾶσα γὰρ
αἰτία ἐπὶ τῇ παρὰ βλάσει τῆς νόμος καθίσταται.

“ Since

“ Since the law did not prohibit the
 “ *Israelites*, if they chose, from taking a
 “ wife, not only of their own nation, but
 “ likewise a captive and a concubine, there
 “ could, therefore, be nothing wrong or in-
 “ jurious in a man’s taking the *relict* of his
 “ *deceased brother* to a wife he had before ;
 “ for the law was not hereby violated : for
 “ *all wrong consists in the violation of the*
 “ *law.*”

Vol. ii. 215, n. 1st edit.—2d edit. 197, n.

In the time of the *troubles* in the last cen-
 tury, by an ordinance of *August* 1653, ’twas
 enacted,

“ That all persons intending to be mar-
 “ ried, shall come before some *justice* of the
 “ *peace* ; and if there appear no reasonable
 “ cause to the contrary, the marriage shall
 “ proceed in this manner : — The *man* to be
 “ married, taking the *woman* by the hand,
 “ shall plainly and distinctly pronounce these
 “ words : — I *A. B.* do, in the presence of
 “ God, the searcher of all hearts, take thee
 “ *C. D.* for my wedded wife ; and do also,
 “ in the presence of God, and before these
 “ witnesses, promise to be unto thee a loving
 “ and faithful husband. — The *woman* pro-
 “ mises, in the same form, to be a *loving,*
 “ *faithful,* and *obedient wife.* — And it is
 “ further enacted, That the *man* and *woman*
 “ having made sufficient proof of the con-

“ sent of their parents and guardians (if under the age of twenty-one years) and expressed their consent unto *marriage*, in the manner and by the words aforesaid, before such *justice*, in the presence of two or more credible witnesses, the said *justice* may and shall declare the said *man* and *woman* to be thenceforth *husband* and *wife*; and the marriage shall be good and effectual in law,” &c.—The *reader* may find the whole at large in *Schobel's Collections*, 2d part, p. 236.

This was called — “ being married by the *Directory*.” — The generality of the *Presbyterians* were then married in this manner, enjoined by the *Directory*, and not by the *Liturgy*, though there were some instances to the contrary; and among these, Mr. *Stephen Marshal* (who was a zealot, and had a chief hand in compiling the *Directory*) did marry his own daughter by the form prescribed in the *Liturgy*, being unwilling to have his daughter “ returned to him as a “ *whore*, for want of legal marriage, the statute establishing the *Liturgy* not being repealed:” and having so done, he paid down *five pounds* to the churchwardens of the parish, as the fine or forfeiture for using any other form of marriage than that in the *Directory*. See HEYLIN'S *Examen Historicum*, p. 364.—GREY HUD. vol. ii. p. 177, n.

By this we may perceive, that they did not attempt the *invalidation* of *marriages*, because not solemnized according to a particular *form* or *ceremony*.

In

In the above, there was an effectual care taken of the *civil contract*; and, by placing it in the hands of the *civil magistrate*, it was restored to its *ancient* and proper jurisdiction.

Vol. iii. p. 271. l. 13, 14.

I mentioned vol. i. p. 79. 2d edit. n. this *third volume*, in which I said it would appear, that the “making *marriage* under the “New Testament different from what it was “under the Old Testament, is *true genuine* “*Popery*.” — I appeal to the above *sentiment*, or rather *dogma*, for the fulfilment of what the reader was to expect.

In this there are three *propositions*, every one of which is a downright *falsehood* — 1. “That marriage is a *sacrament*” of the New Testament. 2. “That it was instituted by “CHRIST.” 3. “That it is appropriated “to *Christians* ;” — and, of course, the whole dispensation of *marriage*, as revealed in the Old Testament, is as much antiquated and laid aside, as the rites of *circumcision* and the *passover*.

Now, how does the matter really stand? It is surely evident, that the *specific ordinance* by which *the man and woman become one flesh*, is set down Gen. ii. 24; and that the *indissolubility* of the *union* arises from what is there said.

OUR SAVIOUR, so far from making the least alteration in this point, recites this *very passage* — Matt. xix. 5. — and infers from it
(v. 6.)

(v. 6.) the indissolubility of the contract, in order to shew the *Jews* the unlawfulness and inefficacy of their wanton and arbitrary *divorces*.

St. *Paul* states the very same passage, as his authority for determining the abuse of the *marriage-ordinance*, in the illicit commerce with an *harlot*. 1 Cor. vi. 15, 16.

The same *apostle* cites also the same passage of Gen. ii. 24. in order to prove what constitutes *marriage*, so as to render it an emblem of the *union* between CHRIST and his *church*.—See Eph. v. 31.

After all this plain, clear, unequivocal evidence, what shall we say to the position, that — “*marriage* under the New Testament “is different from what it was under the “Old Testament?” — We may as well say, that *arithmetic* has changed its calculations; that among the *ancient Jews* two and two made only *four*, but now they make *fifty*.

Note, vol. iii. p. 275. l. 23—26.

Dr. GREY, in his edition of *Hudibras*, among many other curious and instructive anecdotes, which are well worthy the *reader's* perusal, has the following: — *Part* iii. *Canto* i. l. 627, 628. n.

“The Emperor *Leo* (as my very worthy “and learned friend Dr. *Dickins*, professor of “*civil law* in the *University* of *Cambridge*, “informs me) allowed a *separation* in the “case of *incurable madness*,

“Per

“ Per conjugium, inquiunt, in corpus co-
 “ ierunt, oportetque membrum alterum al-
 “ terius morbos perpeti: & divinum præcep-
 “ tum est quos *Deus junxerit, ne separentur*.
 “ Præclara quidem hæc & divina, utpote
 “ quæ a Deo pronuntiata sunt: verum non
 “ rectè neque secundum divinum propositum
 “ hic in medium adferuntur: si enim matri-
 “ monium talem statum conservaret, qualem
 “ ejus in principio *pronuba* exhibuisset, quis-
 “ quis separaret, improbus profecto esset, ne-
 “ que reprehensionem effugeret.

“ Jam verò cum præ furore ne vocem
 “ quidam humanam a muliere audias, nedum
 “ aliud quidquam eorum quæ ad oblectamen-
 “ tum & hilaritatem matrimonium largitur
 “ ab illâ obtineat: quis adeo acerbum hor-
 “ rendumque matrimonium dirimere nolit?
 “ Ea propter sancimus, &c. ut si quando post
 “ initum matrimonium, mulier in furem
 “ incidat, ad tres annos infortunium maritus
 “ ferat, mæstitiamque tolleret: & nisi inter
 “ ea temporis ab isto malo illa liberetur, ne-
 “ que ad mentem redeat; tunc matrimonium
 “ divellatur, maritusque ab intolerabili illa
 “ calamitate exoneretur. *Imp. Leonis No-
 “ vella CXI.*

“ *Per Novellam Sequentem*: Si maritus per
 “ matrimonii tempus in furem incidat in-
 “ tra quinquennium matrimonium solvi ne-
 “ queat: eo autem elapso, si furor eum ad-
 “ huc occupet, solvi possit.

“ By marriage, they say, there is a bodily
 “ union, and it behoveth the one member to
 “ bear

“ bear the diseases of the other : and it is a
 “ divine precept—*those whom God hath joined*
 “ *together, let them not be put asunder.* A
 “ most excellent and divine saying, as pro-
 “ nounced by God ; but here it is not
 “ brought into the question (of divorce)
 “ rightly, nor according to the divine pur-
 “ pose : if the matrimony remained as at the
 “ beginning, maintaining the same state as
 “ when the woman was first a *bride*, who-
 “ ever should *separate*, would indeed be
 “ wicked ; nor would they escape reprehension.
 “ But when, through *madness*, you can-
 “ not hear from the woman even a human
 “ voice, nor can the husband obtain any of
 “ those things which matrimony bestows for
 “ delight and comfort, who would not de-
 “ stroy so bitter and horrible a marriage ?
 “ Wherefore we ordain, &c. that if, at any
 “ time after the marriage, the wife falls into
 “ madness, the husband shall bear his mis-
 “ fortune and grief for *three years*—and, un-
 “ less she shall be delivered, and return to
 “ her right mind in that time, then the mar-
 “ riage shall be dissolved, and the husband
 “ released from so intolerable a calamity.

“ If the husband falls into *madness* during
 “ the coverture, the marriage cannot be dis-
 “ solved within *five years* ; but, that time
 “ being elapsed, if the *madness* still possesses
 “ him, it may be dissolved.”

The *Emperor* seems to have carried his
 notions and allowance of absolute *divorce*
 farther

farther than the scriptures warrant; yet on reasonable proof of the above facts, a *separation*, but so as that the man shall still maintain and provide for the woman as his *wife*, might surely be allowed; as also, that he might marry another, not only on account of *madness*, but where through other *diseases*, or unavoidable causes of *separation*, the man ceases in fact to have any one end of marriage.

The allowance of absolute *divorce* on the *madness* of the *husband*, or other cause of unavoidable *separation* from him, is a very *different question*, and does not appear to have any warrant whatsoever from GOD's word. See Rom. vii. 3. 1 Cor. vii. 11.

Here I would add another remarkable matter, which occurs among the *canons* of Gregory II. and should have had a place before, p. 84. but was omitted by mistake, though it is mentioned in *Du Pin*.

“ *Si mulier infirmitate correpta non valuerit debitum viro reddere, quid ejus faciat jugalis?*
 “ — *bonum esset si sic permaneret: Sed quia hoc magnorum est, ille qui se non poterit continere, nubat magis: — non tamen subsidii opem subtrahat ab illâ quam infirmitas præpedit, non detestabilis culpa excludit.*”

“ If a wife be seized with some infirmity,
 “ so that she be not capable of rendering the
 “ *debt* to the husband, what should he do?
 “ — It would be good if he remain as he is.
 “ But because this is very difficult, he who
 “ cannot *contain*, had better *marry*. Not
 “ that

“ that he is to withdraw the assistance of
 “ his support (and maintenance) from her
 “ whom infirmity hinders (*i. e.* as aforesaid)
 “ even some detestable crime does not ex-
 “ clude this.”

Though this be the language of a *Pope* of *Rome*, it is yet so agreeable to *nature*, *reason*, and *scripture*—to the most apparent dictates of *common sense*, and *understanding*—to every principle of *justice* and *equity*—and is so calculated to prevent numberless *evil consequences*, which must flow from a constrained, involuntary, and unnatural *celibacy*—it is as much to be *lamented*, that the *church* could ever alter or abrogate this *canon*, as it is to be *wondered* at, that there should be found a *Christian* legislature which has not adopted it. Well—perhaps—*non ut male nunc, & olim sic erit.*

To RICHARD HILL, Esq.

My dear Sir,

I AM entirely of opinion with you, that *religion*, instead of lessening our *ideas* of *friendship*, tends to exalt them; for which reason, it gives me a concern which I cannot express, to be forced into a *remonstrance* against any *conduct* of your's, with whom it has been my honour and happiness, for *many, many years*, to live on a footing of the most disinterested, tender, and affectionate friendship. I hope I shall not forget this in any thing which I may say on the present occasion.

It is not my purpose to write a regular answer to your late book, intituled, the "*Blessings of Polygamy, &c.*" In the first place, *that*, in general, appears to me so completely done to my hands already, in the *publication* which you attack, that there is little reason for me to repeat the trouble; and, if you will read the *books* which you censure, with more attention than you seem to have done, I am not without hopes, that your *candour* may lead you to be of that opinion.

However, you must give me leave to ask you, in the first place, how far it is reconcileable to those notions of *urbanity* and *politeness*, which I have so often observed to be remarkably conspicuous in Mr. Hill, to put any man's *name* to a work, where the *author*

thor has not done it himself?—but, more especially, where there is little other intention, than holding forth the *man* and his *work* in the light in which you have been pleased to exhibit your old and *faithful friend*—that is to say, in as *injurious* a point of view as he could well be placed, so far as relates to the *publication* which you censure.

In the next place, I would observe, that I cannot think it very consistent with that warmth and delicacy of *friendship*, which has so long subsisted between us, to say nothing to your old *friend* of your intention to produce such an attack upon him in the face of the *public*, before you sent it to the press:—Would it not have been more *friendly*, not to say more like *yourself* as a *gentleman*, to have shewn him the *manuscript*, heard and weighed maturely his objections, and to have corrected the *language* or *sentiment*, where you might have been convinced that your *pen*, in some places, had *hastily* overleaped the bounds of that *respect* and *regard* which you profess for the *Author* in other parts of your performance? As far as I know myself, and can judge from my present feelings, I could not, on any account, have published *such a book* against *you*, without first shewing it to you, and listening, most attentively, to whatever might tend to correct any *asperity* of expression, or any *personal reflection*, which might *hurt* you in your own mind, or injure your *character*, in the sight of the world.

It is not an enemy that has done me this dishonour,

dishonour, &c.—As to your *animadversions* on *Thelyphthora*, I could wish for your *own sake*, as well as *mine*, that you had taken *more time* to consider them before they were published, and to have reflected how far they agreed with the subjects of them in point of *accuracy*. For instance—you certainly attempt to charge the *author* “with recommending an *indiscriminate* and unlimited “practice of *polygamy*, and wanting a *law* “to establish it.”—This, though not the very words, is yet the undoubted *substance* of your accusation on the point, as it may be fairly deduced from your book.—How is this consistent with the following passage, *viz.*

“As to *Polygamy*—which is certainly one “*link* in the *chain* of God’s dispensations, “as so absolutely necessary to prevent, in “many cases, the desertion and prostitution “of women, as well as to preserve men from “vice and profligacy, under various circumstances of unavoidable difficulties and “temptations, which *necessary separation* “may render them liable to (see before, “vol. i. p. 181—2) the causes of which “may fall short of being grounds for *utter divorce*—it is, considered in *itself*, one of “the *last* things which a man should think “of, who wishes and aims at the happiness “of a domestic life. The weight and burden of a double family, the distractions “which most probably must be the effect of “jealousy between the women, each envying “the other her share in the husband’s affections,

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“ fections, must be productive of disputes,
 “ quarrels, and perpetual disquiet. We see
 “ this to have been the case even among the
 “ best of people, who were *polygamists*.—
 “ What were *Abraham’s* trials, which arose
 “ from his connections with *Hagar*?—What
 “ those of *Jacob*, from the jealousy and
 “ discontent of *Leah* and *Rachel*? So *Elka-*
 “ *nab* suffered not a little, at the treatment
 “ which his favourite *Hannab* received from
 “ her rival *Peninnab*—and, indeed, it is so
 “ much in the nature of things, that matters
 “ should fall out alike in all times, where there
 “ are the same *causes* to produce the same
 “ *effects*, that one should imagine most men,
 “ who consulted the peace, quiet, and com-
 “ fort of themselves and families, would sub-
 “ scribe to *Horace’s*

“ *Felices ter & amplius*

“ *Quos irrupta tenet copula; nec malis*

“ *Divulsus querimoniis,*

“ *Suprema citius solvet amor die.*

“ *Thrice happy they, in pure delights,*

“ *Whom love with mutual bonds unites;*

“ *Unbroken by complaints or strife,*

“ *Ev’n to the latest hours of life.*

“ FRANCIS.

“ It is most readily to be allowed, that
 “ such people can have nothing to do with
 “ the subject of *polygamy*.” [“ Except it be
 “ to abhor and execrate the very thought of
 “ it.” 2d edit.] See *Thelyph.* vol. ii. 187—191.

I might also refer you to p. 378, n.
 which

which stands thus:—"Doubtless in this,
 "as in all things else, which, however *law-*
 "*ful* or *innocent* in themselves, may become
 "*sinful* by *abuse* or *excess*, we may say with
 "*Horace*—

"*Est modus in rebus—sunt certi denique fines,*
 "*Quos ultra citraque nequit consistere rectum.*

"Some certain *mean* in all things may be found,
 "To mark our *virtues*, and our *vices* bound.

"FRANCIS.

"That *polygamy* is *lawful* in itself, and in
 "many cases *expedient* (See before 192—3, n.)
 "in some *duty* (See vol. i. p. 297—8.)
 "none can deny, who will yield to the tes-
 "timony of the scriptures and plain matter
 "of fact. But where it is entered upon
 "with no other view than to *pamper the ap-*
 "*petite*, and to indulge a *love of variety*, it
 "degenerates into *evil*; and seems to be
 "to *marriage*, what *gluttony* and *drunkenness*,
 "and excess of *apparel*, are to *food* and *rai-*
 "*ment*—a *sinful*, because a forbidden, *abuse*
 "of *lawful* and necessary things."

I am much concerned, Sir, that I am con-
 strained to remind *you* of these passages;
 more so, that they did not prevent the *seve-*
rity of some of your *censures* on the *author*;
 as a maintainer and recommender of *indiscri-*
minate and *unlimited polygamy*—an *idea* as
 much abhorred by him as by *yourself*.

Again—you seem to argue, as if the author
 meant to disparage *marriage-ceremony*, or to
 dispute the *necessity* of it; though afterwards,
 indeed, you do allow, that he contends for

it.—My dear Sir, you say (p. 124) that you will not dispute with me, whether “ the mere intercourse of a man with a virgin constitute a marriage in the sight of God ”—but as to the necessity of “ some solemn act of recognition,” (p. 125.) can you yourself say more than is said in the following words ?

“ Now to apply what has been said to the subject of this *chapter*, it will be necessary for us to keep the ideas of *marriage*, as it is a *divine ordinance* with respect to God, and as it is a *civil contract* with respect to the *public*, distinct in our minds. It is the *first* only which constitutes the indissoluble union in God’s sight, but it is the *second* which recognizes and ratifies that union in the sight of the world ; and this is a sort of security which (as so much depends upon it with respect to *society*) the world has a right to require, consequently to exact ; and those who wilfully refuse to give it, deserve to lose every privilege and benefit which are annexed to it. Were the *consciences* of men what they ought to be, the *fear* and *love* of God would reign within them, and a strict observance of his commandments be the measure and rule of all their dealings towards God and each other. But in this corrupt state of things, this is not the case, therefore human laws are necessary to enforce the *divine law*, in no instance, perhaps, *more necessary* than in the case before us. If no *contract* of a *public nature* was insisted upon, but all left to the private

"vate agreements and determinations be-
 "tween the parties, men might take women,
 "and women men, and keep or put one
 "another away as humour or fancy suited;
 "the woman who was the wife of A. to-
 "day, might become the wife of B. to-
 "morrow; in short, it is impossible to
 "conceive, much more so to *express*, the con-
 "fusion which must ensue on such a plan.
 "Therefore, when human laws are made to
 "exact a public contract between the par-
 "ties in the face of the world, which con-
 "tract cannot be broken nor dissolved but
 "for the *one cause* which God's word al-
 "lows, such laws are in affirmance of the
 "law of God, and therefore are righteous
 "laws; and, as such, ought to be obeyed;
 "nor have any persons a right to that respect,
 "and to those privileges, which are due to
 "married persons, who despise such an or-
 "dinance of man as creates a *civil contract*
 "in the sight of the world, by way of re-
 "cognition of that *private contract* which
 "they have entered into between themselves
 "in the sight of God. Those who wilfully
 "live together, as *man* and *wife*, without
 "this, are deservedly reckoned infamous,
 "and as deservedly cut off from the benefits
 "of marriage, so far as *civil society* is con-
 "cerned: therefore to discourage, and even
 "to *punish*, such a conduct, is certainly with-
 "in the authority of all *civil government*,
 "nor would any government be justified in
 "not doing it, for without this, men and

“ women would be living like the beasts of
 “ the field. No fault is therefore to be
 “ found with our laws for enforcing the
 “ public recognition of God’s *ordinance*,
 “ but for not enforcing it *in all cases*, and for
 “ making it *null and void* in *any*, where God’s
 “ law hath not made it so. Instead of shut-
 “ ting up the *ecclesiastical* courts against the
 “ complaints of deserted females, or pre-
 “ venting their enforcement of *that redress*
 “ which God’s law commands, every court
 “ in *Westminster Hall*, and every *magistrate’s*
 “ house in the kingdom, should be open to
 “ them, and on pain of death, or at least of
 “ perpetual imprisonment till compliance,
 “ every man who had seduced a woman, whe-
 “ ther with or without a promise of *marriage*,
 “ should be obliged to wed * her publicly.
 “ Under what *rite* or *ceremony* this is done,
 “ is of very little consequence, so that it be
 “ effectual for the notoriety of the contract,
 “ and the prevention of causeless divorce.
 “ That which makes the *marriage* before God
 “ is the same every where, that which *re-*
 “ *cognizes* it in the sight of men, is, and
 “ may be different, but all tending to one
 “ point, that of affording to the state, as
 “ well as to the parties themselves, such a se-
 “ curity for their cohabitation, as is neces-
 “ sary for the peace, good order, and wel-
 “ fare of the whole. Something like what
 “ Q. *Curtius* reports *Alexander* to have said,
 “ when he cut the famous *Gordian* knot, I

* See *Thelypb.* vol. i. p. 290, 2d edit. and n.

“ would

“ would say on the *tying the nuptial knot*, as
 “ far as public ceremony is concerned—“ So
 “ it *be* done, no matter *how*.”—*Thelyph.*
 vol. ii. 70—73.

After an attentive revifal of the above, I
 hope you will be very forry that you fo far
 forgot *yourself*, and injured *your friend*, as to
 tell the *whole world*, under your *own hand*—
 p. 125—that “ he *explodes* * every thing of
 “ *this fort*,” (i. e. external *marriage-ceremo-*
ny) “ as fuperftitious *priestcraft*.”

Something akin to this may be found
 p. 140, where you quote the following pas-
 fage from the advertisement to *Thelyphthora*,
 1ft edition.—“ In the eye of our municipal
 “ laws, women are of lefs confequence than
 “ the beafts of the field—for it is *lefs penal*
 “ to feducer, defile, and abandon to profti-
 “ tution and ruin a thoufand women, *mar-*
 “ *ried* or *unmarried*, than to fteal, kill, or
 “ even maliciously to maim or wound an ox
 “ or a fheep. See 22 and 23 Car. II. c. 7.
 “ 9 Geo. I. c. 22.”

On this you comment thus:—“ I had
 “ like to have faid, that there is a moft pal-
 “ pable *falfity* in this affertion, but I will re-
 “ call the word, and inftead of *falfity* we will
 “ read *fallacy*.”—i. e. here is not a *lye*, but
 only an *equivocation*.

In order to make out this *charge*, which
 you muft permit me to call rather of the il-

* From this, and from *other ftrokes* of Mr. H's very
hasty pen, I am perfectly convinced, that *my friend* has
 fcarcely one *real idea* of the book which he writes
 againft,

liberal kind, far more so than I could have thought *you* capable of towards any body, much less towards *me*—you afterwards cite only the first sentence—“ In the eye of our “ municipal laws women are of less consequence than the beasts of the field.”—This, as it stands by itself, as an unlimited and universal proposition, you have my free leave to call a downright *lye*, and a very *nonsensical* one into the bargain—but why did you omit what follows, which shows that the *author* means this *restrictively*, in a *certain respect*, which is mentioned, and in which *respect* the proposition is certainly true?—it is *more penal*, maliciously to *hamstring* an *ox*, than to “ seduce, defile, and abandon to “ prostitution and ruin a thousand women, “ either married or unmarried,” for the offender in the *first case* would be hanged; and if you can prove that this would be the fate of the *seducer*, &c. then I will grant that the law is not *less penal* towards him than towards the other.

But, my dear Sir, why would you pass over in silence that farther explanation of the *author's* meaning, which must have met you, vol. ii. p. 58, and so entirely elucidates his sentiments on the subject, as surely to leave no reasonable ground for so *heavy* a *charge* as you have brought against his *sincerity*?—the whole passage alluded to runs thus:—

“ The more we examine the *law of God*,
 “ the more shall we be apprized of its har-
 “ mony

“mony and consistency with itself, as well
 “as with the peace, good order, and welfare
 “of human society; more especially with
 “regard to its care and watchfulness over
 “those who stand most in need of its pro-
 “tection, the *weaker sex*; which, as matters
 “are now ordered, seems of less value than
 “the beasts of the field. If a man goes into
 “his neighbour’s field, and wilfully *maims*
 “or *wounds his cattle*, it is *felony without be-
 “nefit of clergy*; but to *seduce*, and *debauch*
 “his *daughter*, and then to look upon him-
 “self as free from all legal obligation to
 “*marry her*, is the grand privilege which
 “he finds annexed to our repeal of the *laws*
 “of *Heaven*. As for the sufferer, if she be
 “*poor*, so that her maintenance depends upon
 “her *character*, this being gone, she must
 “starve for want of employment, or plunge
 “herself into the depths of prostitution to
 “get food and raiment.” I cannot perceive
 any *falsity* or *fallacy* in alledging, that, in
 this respect, the law takes more care of a
 man’s *ox* than of his *daughter*, or that it is
 less *penal* to debauch and abandon her to
 prostitution, than to *maim* or *wound his cattle*.

What occasion was there for your talking
 of *rapes*, *attempts to commit them*, &c. and
stealing, *killing*, or *maliciously wounding* a wife
 or a virgin? though, by the way, a man
 might *maliciously wound* either of *these*, and
 not be liable to *death*, as he would in the
 case of the *cattle*—and as for the *action* for
damages by a *father*, against a man who *vio-*
lated

lated the chastity of his daughter of marriageable age, I believe, if it came out in proof, that the "man had intercourse with her by her freest consent,"—as you speak—he would get little more by his action, than a very large bill from his attorney, for which he might be arrested, and sent to gaol. Besides, Sir, the poorer sort of people could hardly venture on the risque and expence of such an action at all. I therefore still venture to believe, that the Jewish laws—Exod. xxii. 16. and Deut. xxii. 28, 29—had by far more wisdom and justice in them, than there is to be found in any other plan, which mortals ever have contrived or can devise.

You say, p. 11—"I would not be understood to insinuate, that polygamy was ever a part of the law of God. On the contrary, there is no command whatever which enjoins it, or even leans towards it."—What think you of the *Levirate*, or law of marrying the brother's wife?—See Bp. Burnet's opinion, *Thelyph.* vol. i. p. 313.—Again, what say you to Exod. xxii. 16. and Deut. xxii. 28. 29? Hear your friend M. Luther—"Nota sunt jura Mosaica, de fratris defuncti uxore, & de filia correpta invito patre, quæ cogunt plurimum esse uxorum virum. And again, in *Comment. in Gen. in propos.* & in libro de bigamia episcoporum. We find that LUTHER asserted—*Polygynæciam non esse contra legem naturæ; aut moralem, aut ipsam scripturam sacram.*" See *Pol. Tri. THESIS*, xc.—I should recommend it to you, not to be over fond

fond of calling either *Luther* or *Zuinglius* (See *Thelyph.* vol. i. 406, n.) as *witnesses* for your *sentiments*, or honest *M. Bucerus*, or indeed any of the chief *Reformers*.

P. 13.—Prov. v. 16. relates to the *children*, so no occasion for the *Kennicottian* *not*: The omission of which is certainly not *exactly of the same kind* as “the printer, whom “*Laud* fined,” was guilty of; since in Prov. all the *printed editions* which I have seen, and among them the *Complutensian*, want the Hebrew word for *not*.

P. 16, 17.—Incestuous marriages would still have been lawful, *if not expressly forbidden by God*—prove that *polygamy* has been so forbidden. (But why must the marriages immediately after *Noah's* flood be *incestuous*—might not all his grand-children marry their *first cousins*?)

P. 18.—A comparison of Numb. xv. 32, 33, &c. with Exod. xxxv. 2. xvi. 23. shews the reason of the severity against the *stick-gatherer*.—The law against *lighting a fire* on the *sabbath* seems only *temporary*, while they were fed miraculously with the *Manna*.

P. 29.—What authority has Mr. *H.* to substitute, in Exod. xxi. 8. *humiled her*, for *dealt deceitfully with her*.—A knowledge and proper regard to the *Hebrew Bible* would here have been of use to him.—The *textual* reading of verse 8, in all the printed *Bibles* which I have seen (especially the *Complutensian*) is “who hath *not* betrothed her;” and the

words at the end of ver. 8. should have been rendered—in *dealing*, or *to deal deceitfully with her*. These remarks give a different view of the passage.—Ver. 9. “If he have betrothed her (*his female slave*) to his son,” is a very different case from “a man’s *enticing a virgin and lying with her*.” In the former instance, the *man* treats the *maid* as his property, as she truly was (for he had *bought* her, ver. 7;) but even here God provided a *remedy*, that the *master’s son*, to whom she had been *betrothed*, should not treat her otherwise than any other *wife*. If he would not be a *husband to her*, she should not be a *wife to him*. Such is the *equitable* and *benign* spirit of God’s law by *Moses*!

P. 30.—What think you of our LORD’s superseding the *judicial* law of *retaliation*, to be executed by the *magistrate*, by that more *benign* and *evangelical system* which enjoins us (in our *private* capacity) to return good for evil? I believe the *law* of *retaliation*, in *all* cases of *corporal injury*, (*an eye for an eye, &c.*) as well as in *murder*, would, in the event, be a most *benign* and *merciful* law.

P. 32, note—directly contradicts *Josephus*, who, in this case, is an unexceptionable witness.

P. 37. “*Suppose, &c. to all his days?*”—What? *without evidence*, either *positive* or *circumstantial*, upon the *mere say-so* of the woman or women? Do our laws hang men for *rapes* in the like *nonsensical* manner?

P. 40.—“The *tyrannical* authority of *Sarah*
over

over *Hagar*."—Her *treatment* of her was expressly approved by God *himself*, Gen. xxi. 12. though perhaps it might not be so by a *Bolingbroke* or a *Voltaire*.—Mr. H. in his zeal against *polygamy*, forgets that *Hagar's* son *mocked Isaac*, with whom God had established his covenant; and that *St. Paul* calls this *mocking* a *persecution*, Gal. iv. 29. If Mr. H. alludes to *Hagar's* first flight from the *resentment* of her mistress, let him advert to the foundation of that *resentment*, as mentioned Gen. xvi. 4, 5. and it will be found a *just* one.—Her contempt of *Sarai*, no doubt, produced a very improper conduct towards her, as appears by *Sarai's* complaint to *Abram*, ver. 5.

P. 87. Mr. H. mistakes the case of *Jael*, when she slew *Sisera*, by saying she acted under the immediate direction of God, of which there is no proof.—She acted as a voluntary and faithful subject of the *Israelitish* state. See Bate's note on Jud. iv. 17, who is the only *commentator* I know that has explained this.

These cursory remarks on particular parts of your book, I submit to your *revisal*. Your taking the *marginal* reading of Lev. xviii. 18. as the true sense of the passage—and your controverting the interpretation of Mal. ii. 15. after your acknowledgment that you are *no Hebræan*—when the right understanding of those texts must depend on the original words—might, perhaps, as well have been omitted.—You remember the old *proverb*—*Ne sutor, &c.*

Your free *declamation*, and very extraordinary

nary cases *imagined* on this occasion, prove nothing but the liveliness of *my friend*, and that it sometimes hurries him into *reflections*, which may possibly fall where I am sure he does not mean they should. The system defended in *Thelyphtbora* is that of the *Divine law*. I can meet with no such cases as that of "*Lady A. and Sir Thomas A.*"—nor as that of "*The humble petition of Mary, the wife of John Williams*"—nor of "*women of the St. Giles's breed, crying murders** about the streets," as the consequences of the *Jewish system*; these are sallies of your *vivacity*—which might have been as well spared, where the question before you was not merely concerning human judgment, but concerning a matter *allowed* by the "*permission*" at least (as you confess) of God *himself*, for many ages together.

I could wish you to reflect on a passage in *Thelyphtbora*, which, on this occasion, you will give me leave to remind you of.

"To argue against any thing, from the abuse of it, is the most unfair of all methods of refutation. There are no absurdities, and, indeed, no lengths of impiety and blasphemy, into which, by such means, we may not be carried.

"We may even dispute the wisdom and

* Alluding to the dismal story of that *Patient Grizzel*, who is supposed "to cut the throats of her husband and his new wife, and then her own." P. 49.—I would advise *my friend* Mr. H. to leave off TEA, especially in an evening; it is very apt, in some constitutions, to create *disordered sleep* and *frightful dreams*; these leave impressions on the *fancy*, which are not easily got rid of.

"holiness

“ *holiness* of the CREATOR in making the
 “ *human species* of different SEXES—in or-
 “ daining the means of *increasing and multi-*
 “ *plying* the human race, by the union of
 “ the *male* and *female*—in implanting, for
 “ this purpose, a desire towards each other
 “ —for if all this had never been, *adultery*,
 “ *fornication*, and *whoredom*, could not have
 “ existed:—Nay, we may carry the argu-
 “ ment so far, as to conclude against the
 “ *Divine wisdom* and *holiness* in the *creation* it-
 “ self; for, if this had never been, no *evil*,
 “ either *moral* or *natural*, could have ever
 “ been known. See vol. i. pref. p. xxiii.

“ Let us go a little farther, and we shall
 “ get into *scepticism*—and from thence into
 “ *atheism*—like those

“ ——— who tread the high *priori* road,

“ And argue downward till they doubt of God.

“ POPE.

“ In 1536, *Archbishop Cranmer*, who was
 “ projecting the most effectual means for a
 “ reformation of doctrine, moved in *convo-*
 “ *cation*, that they should petition the *King*
 “ for leave to make a translation of the *Bible*.
 “ But *Gardiner*, and all his party, opposed
 “ it, both in *convocation*, and in secret with
 “ the *King*. It was said, that all the *heresies*,
 “ and extravagant *opinions*, which were then
 “ in *Germany*, and from thence coming over
 “ to England, sprang from the *free use* of
 “ the *Scripture*: And whereas in the *May*
 “ last year, nineteen *Hollanders* were accused

“ of

“ of some heretical opinions, for which opi-
 “ nions *fourteen* of them were *burnt in pairs*,
 “ in several places ; it was complained,
 “ that all those drew their *damnable errors*
 “ from the indiscreet use of the *Scripture*.
 “ And to offer the *Bible* to the whole nation,
 “ would prove the greatest *snare* that could
 “ be. See *Burnet Hist. Ref.* vol. i. p. 195,
 “ second edit.

“ Whoever reads with attention this ex-
 “ cellent and entertaining *history*, will see
 “ what reliance the *Popish* party had on this
 “ *mode of argumentation* against the *Reformers*,
 “ their *writings*, and indeed the *Reformation*
 “ *itself*. The great *Sir Thomas More*, in his
 “ writings, exercised all his dexterity in ex-
 “ posing the *ill consequences* that could follow
 “ on the *doctrine* of the *reformers*. *Ibid.* 356.

“ Assuming certain prejudices as true,
 “ and thence drawing *conclusions*, which rest
 “ singly on such prejudices, is not only *un-*
 “ *fair*, but is one of the meanest and most
 “ despicable *sophisms* that error can have re-
 “ course to ; it is that sort of deceit and
 “ imposition, which “ imports the misre-
 “ presentation of the qualities of things and
 “ actions to the common apprehensions of
 “ men, abusing their minds with false no-
 “ tions ; and so, by this artifice, making
 “ *evil* pass for *good*, and *good* for *evil*, in all
 “ the great concerns of life. *SOUTH's Ser-*
 “ *mons.*”—*Thelyph.* vol. ii. p. 324, n.

And indeed, my dear *friend*, after all you
 have said—though your *haste* has made you
 forget

forget your resolution, p. 8, of making “use
 “ of no other sword *than that of the Spirit,*
 “ *which is the word of God*”—you yourself
 seem to be a little suspicious, that you may
 have gone rather *too far* in your *censures*, with
 respect to the *Old Testament* at least.—Thus
 you express yourself.

“ But after all, suppose I cannot reconcile
 “ this difficulty to my own apprehension; sup-
 “ pose I am fearful of saying that *polygamy* was
 “ no sin under the *Old Testament*, and am also
 “ fearful of asserting that *Abraham, David,*
 “ and *others*, lived and died in *adultery*; still
 “ why cannot I content myself with what is
 “ plainly revealed, and leave it to God to
 “ clear up the justice and equity of His own
 “ dealings with the children of men? *Secret*
 “ *things belong unto Him.* Infinite wisdom
 “ has its own reasons for whatever it does,
 “ and will be accountable to none. What-
 “ ever be dark, this is certain, that God
 “ thought fit to *permit polygamy* under the
 “ law: but *permission* does not by any means
 “ imply approbation; nay, God often per-
 “ mits that which, from the very holiness of
 “ his nature, is his abhorrence.”

Here I would just stop to ask you, how
 far from “*implying approbation*” it is, where
 an action is “*permitted*,” not merely on
 some *special, particular* occasion, under some
 extraordinary circumstances, but uniformly
 allowed, regulated by *positive laws*, and openly
 practised by the people of God (even the *best*
 of them) through an uninterrupted succession

of many ages, and no where *condemned*, but in some cases *absolutely commanded*?

“ On the other hand, it is *equally certain*,
 “ that God has thought fit to prohibit *poly-*
 “ *gamy* under the *Gospel* — and therefore,
 “ though *permission* may well enough accord
 “ with disapprobation, yet prohibition and
 “ approbation are so far from agreeing, that
 “ they cannot stand together.”

Here *my friend* ends the *controversy* at once, and has established his *point* with one *stroke of his pen*. In vain have so many great and learned men, such as *Wetstein*, *Barbeyrac*, *Bishop Burnet*, and others, given their suffrages on the other side of the question; my dear *friend* has *decided it tout d'un coup*. The excellent and learned *Dr. Doddridge*, whose very name is honoured so deservedly by all that remember him, and who, I believe, was never suspected of *licentiousness*, either in principle or practice, thus modestly expresses himself in his note on 1 Tim. iii. 2.

“ *The husband of one wife.*] Mr. *Hallet*
 “ and Mr. *Whiston* both infer from hence,
 “ that *second* marriages are unlawful to the
 “ *clergy*; and the *Muscovites* suppose, that
 “ *one wife* is so necessary, that no man can
 “ become a *bishop* till he be *married*, nor
 “ continue to exercise *that office* longer than
 “ his *wife* lives. *Perry's Russia*, p. 230.
 “ But circumstances may be so adjusted,
 “ that there may be as much reason for a
 “ *second* marriage as for a *first*, and as little
 “ inconvenience may attend it. Upon the
 “ whole,

“ whole, therefore, it seems to me most rea-
 “ sonable to believe, that (as there is *no ex-*
 “ *press precept in the Bible*; requiring a man
 “ who had several *wives* at the time of his
 “ embracing Christianity, to *divorce* or dis-
 “ *miss all but one*) the divine wisdom might
 “ judge that it was a proper *medium* between
 “ encouraging *polygamy*; and too great a ri-
 “ gour in *condemning* it, to fix such a brand
 “ of infamy on this irregular practice, by
 “ prohibiting any man, let his character be
 “ ever so extraordinary, to undertake the *mi-*
 “ *nistry* while he had more than *one wife*,
 “ and to *discourage* it in those already con-
 “ verted, by such passages as Matt. xix. 9.
 “ and 1 Cor. vii. 2.”

You find here, how *cautious* this learned
 and reverend man was in his *expressions*.—I
 will answer for it, that if he had seen *your*
book, he would have been *grieved*, if not
shocked, at the *peremptoriness* with which *you*
determine, and the *levity*, I had almost said
profane ribaldry, with which *you* treat a sub-
 ject of such *serious importance*, and *vilify*
 a *practice* which *you yourself* acknowledge
 “ God *thought fit to permit under the law*,”
 p. 88. How far does it become you, Sir, to
 treat in so very *ludicrous* a style, any practice
 which the God that made you *thought fit to*
permit? Even supposing what you take upon
 you to assert as “equally certain,” be so—viz.
 that “God, who thought fit to *permit polygamy*
 “under the *law*, prohibited it under the *gospel*”
 —how far is it *decent* to treat the subject with

so much *facetious raillery*, and to charge it with horrid consequences, which you cannot bring a single instance of from the *Bible*, wherein you *must*, and indeed *do*, confess the practice of it to be recorded, under the permission of God himself?

Did you ever read *Lord Bolingbroke's Letters on the Study and Use of History*? Do you recollect what he says upon the subject of the *ark*, and on certain other parts of the *Jewish laws, worship, and æconomy*?—And do you think him at all the more *justifiable*, because the *ceremonial law*—is waxed old, and vanished away?—My friend would be one of the last men upon earth to excuse the *sneers* of Mr. *Voltaire* upon the *Jews* and their *law*, by saying that the contents of the *Dictionnaire Philosophique* relate chiefly to the times of the *Old Testament*.

I throw out these *hints*, which I hope will be taken as they are meant, in a *friendly view*—for I do apprehend, that whatever can, in the most distant manner, reflect on the *propriety* and wisdom of *any* of God's *dispensations*, are very unbecoming a zealous *professor*, much more, what I sincerely believe Mr. H. to be, a real *possessor* of *true religion*. For this reason I think it would have been full as *decent* to have spared the *ironical title* which you have been pleased to place at the head of your *performance*, as well as the *sarcastism* of your *dedication*.

Now, my dear Sir, you have nothing to do, but to produce some one plain mark or act

of the "*disapprobation*" which you speak of. —You have the *Bible* open before you ; you have the history of near four thousand years ; you have numerous instances of *polygamous* contracts to refer to ; —produce one instance of the divine *prohibition* or *disapprobation*, and you will have the *Old Testament* on your side.

Then turn to *Rom. vii.* and you will find the chapter begins thus—viz.

" 1. Know ye not, brethren (for I speak to them that know the law) how that the law hath dominion over a man as long as it liveth.

" 2. For the woman which hath an husband is bound by the law to her husband so long as he liveth ; but if the husband be dead, she is loosed from the law of her husband.

" 3. So that if, while her husband liveth, she be married to another man, she shall be called an adulteress : but if her husband be dead, she is free from that law ; so that she is no adulteress, though she be married to another man."

The *Apostle*, you observe, speaks to them who knew the law—and, on the footing of that law, plainly and openly delivers his sentiments on the case mentioned. Now, if you can find as plain, as express, as unequivocal, as indisputable an authority from the law, for the prohibition of *polygamy* on the man's side, as in this place of the New Testament, and throughout the whole Old Testament, there

is on the *woman's*—I promise you, and I promise the *public*, to retract all I have said on the subject. Otherwise, I must freely declare, that I cannot believe the scriptures should be so uniformly *explicit* on *one side*, and so dark and perplexed on the *other*, as to leave us to seek the meaning of the *lawgiver* out of his words (as *Bishop Burnet* says) “by the search of *logic*,” where a point of such infinite and eternal concern is at stake, as whether any given *practice* or *action* is *sinful* or *not*, and of course *damnable*.

The Scripture, 1 Pet. iii. 8. says—be *piti-ful*, be *courteous*, Φιλοφρονας — *friendly* or *friendly-minded*—*benign*:—I know none of my acquaintance, in whom I have had occasion to observe more of *these tempers*, than in my beloved Mr. H.; and yet his *zeal* on the present occasion has hurried him into a *temporary oblivion*, at least, of these constituent parts of his amiable character. He even goes so far as to charge his friend with “*low chicanery*”—this he “*at first felt himself hurt at*”—“but I presently recollected,” says Mr. H. “*that he had been bred to the bar*—and therefore passed it by with a *smile*.”

Now, what is this *low chicanery*? Why, the Author of *Thelyphthora*, in full consistence with the *one principle* which he lays down at the *beginning*, and continues throughout to the *end*, that the word *adultery* is never used, but where the defilement of a *married woman* is concerned—for which he has
the

the uniform and undoubted authority of the whole Hebrew scripture—construes the γυναῖκα, woman, Matt. v. 28. in this sense—and this is done, among other reasons, for the grand purpose of representing scripture as consistent in all its parts. However, my dear Sir, what will you say to *Wetstein* on the place?—He thus explains it—“*Per γυναῖκα autem intelligitur uxor alterius.*”—“By the word γυναῖκα—woman—the wife of another is understood.” See *Thelyph.* vol. i. p. 122, n. 2d edit. When your friend has such respectable authorities for his interpretation of the text, I think he might have escaped the charge of “*low chicanery*,” and a very liberal, learned, and honourable profession, have avoided a very severe and indiscriminate censure.

The mention of *Wetstein*, who was certainly the most learned, laborious, and accurate editor of the *Greek Testament* that ever lived, reminds me of another part of your critique, I mean that on the word ἀλλην—another—in Matt. xix. 9, which I say, p. 385, “may be construed in the sense of ἀλλοτριαν γυναῖκα”—for this I appeal to that great man’s comment on Matt. xix. 9. His words are—“*Ἀλλην]* i. e. *Ἀλλοτριαν ab alio itidem viro repudiata—vel ab illo divertentem ut HERODIAS & SALOME.*”—“*Another]* that is, another man’s wife, who has been repudiated by him, or who has left her husband; as did *HERODIAS* and *SALOME.*”—Had you attended to what follows in *Wetstein’s* note on Mark x. 11. p. 387, 391, 392, and carefully

and deliberately weighed the matter, perhaps you would have treated your *friend* with rather more *respect* than you have done on this occasion.—But if you was not of opinion with him on the interpretation of the word *ἄλλην*, how comes it that you pass over in silence his explanation of the *μοιχεται*? Is it quite fair, my dear Sir, to take one argument, condemn it, and so condemn the *author*, without noticing another most material support of his opinion? and, when *Wetstein's* authority lay before your eyes, to charge the author as “*taking the liberty to change the word ἄλλην for αλλοτριαν?*”

You tell us in your Postscript, that “the *treatise* had been published *full half a year* before you could *persuade yourself to read it.*” Your book is dated Jan. 15, 1781. Now the *treatise* was published the beginning of *June* (a few days before the *riots*) so that, “*full half a year*” brings it to pretty near the *date* of your *book* — This accounts for the *haste* in which you wrote, and *this*, for many passages in your *book*, which I am sure you would have *expunged*, had you taken a longer time, either to consider the *treatise* you was opposing, the *friendship* of the *person* you was writing to, or that *inconsistency* with the *sweetness* and *benignity* of your own *disposition*, which occurs here and there throughout your “*affectionate address.*”

I cannot help also thinking, that, for that “*full half a year,*” how hard your *prejudices* must be at work — they appeared pretty clearly

clearly in your letter of *February 2, 1780*, before you had seen a *line* of the performance; and when you could "*persuade yourself to read it*," did not your *prejudices* incline you to wish that they might rather be *justified* than *removed*?—Ask *yourself* this *question*—It may not be quite impossible (if I may judge from some parts of *your book*) that the *honesty* of your *heart* will answer you *very faithfully* in the *affirmative*.—This is but *human nature*. On this principle I can account for your representation of our LORD's intention, in his conduct towards the *woman taken in adultery*. (John viii. 1, &c.) "It appears clear to me," says my friend, "that, under the *gospel*, he, *indirectly* at least, prohibited that either party, in such case, should suffer death, either by stoning or otherwise, as they were to do by the *severity* of the *Jewish law*."

I think you may fairly be understood to mean by this, that CHRIST repealed the *judicial law* of GOD, so often repeated, against *adultery*. If so, how are we to conceive of *His coming not to destroy the law, but to fulfil it?* Matt. v. 17. How of His declaration—that not a *jot or tittle* should pass from the law, till all be fulfilled—Matt. v. 18?—I own I cannot help understanding these solemn assertions as totally inconsistent with an *indirect*, as with a *direct*, repeal of the law.

The *Pharisees*, no doubt, brought this *woman* to our LORD, with a most malicious and

and wicked intent — *to tempt Him, that they might have to accuse Him.* ver. 6. *i. e.* either as an enemy to *Cæsar*, as taking upon Himself to exercise a *judicial* power independent of the authority of the *Roman* government, if He ordered the woman to be stoned to death; or, if He did not, to incense the people against Him as a favourer of sin, and as an enemy to the law of *Moses*.

The *manner* in which OUR LORD avoided the *snare*, and the *way* which He took to get rid of His malicious *enemies*, can never be sufficiently admired for their wisdom and prudence (see ver. 7—9.) any more than we can express, or even conceive, the tenderness and compassion with which He looked on the poor *sinner*, who calls Him LORD (ver. 11.) and receives her *pardon* from His gracious lips. Thus have we left us on record, my dear Sir, one instance, among many others, of that free and condescending grace, which is the only *hope* of guilty creatures like ourselves.

But what has this to do with a repeal of the *law* of GOD against *adultery*? If CHRIST could repeal or change *one judicial precept* of the *moral law*, He certainly could alter any other;—but as my dear *friend* has no inclination, I am very certain, to stir a single step towards *Socinus*, I will say no more on the subject.

You say, after mentioning (p. 135.) Matt. v. 28 — and xix. 9 — “ In both these instances

“stances you insist, that a woman must mean
 “a married woman only, because otherwise
 “polygamy cannot stand.”

Your asserting this as the author's reason for his interpretation of the word *woman*, in the *texts* above alluded to, is another proof, either of the *haste* in which you wrote, or of the *prejudice* with which you read; otherwise you must have adverted to a reason of a much more important nature, *viz.*—that of exempting CHRIST from declaring a *doctrine* in the face of the whole *Jewish nation*, and this as deduced from the law of *Moses*, without any other foundation for what He said, than using the word *adultery* in a sense in which it never once occurs throughout the whole *Hebrew scripture*. This I do acknowledge to be said “again, and again, and again” in *Thelyphthora*; and yet this reason is *overlooked*, and another *substituted*, which is of my friend's own *invention*.

My friend has fallen under a mistake, which I find has been the case with many; that is to say, “that, on the principles of
 “*Thelyphthora*, there is no such thing as
 “*fornication* or *whoredom*; consequently, that
 “such a character as an *whore* or an *harlot*
 “cannot exist, but every *woman* who goes
 “from one man to another is an *adulteress*,
 “always remaining the property of the *first*
 “man that humbled her.” p. 84.

In answer to which, I say—what you own you “*will not dispute with me*”—that the “in-
 “tercourse of a *virgin* with a *man* constitutes a
 “marriage

“ marriage in the sight of God,” because it is written, *they shall be one flesh*;—and our SAVIOUR, from this, concludes—that what God hath joined together, no man shall put asunder.

But I farther say, that if this woman departs from this *first* man to *another*, the bond with the *first* is totally vacated by her act of *adultery*; so that the *first* man is totally released from her. If afterwards she goes from man to man, and sells or gives her favours promiscuously to all alike, she is *everybody's* and *nobody's*: no man can lay any claim to her, or look upon her as his *property*, or be injured, as a *given*, *appropriated* husband might be, by her infidelity. She is, in short, *nullius inter bona*, and is an *whore*, *harlot*, or *prostitute*, in the true sense of those words.

I really feel *hurt* and *ashamed* at your strictures on the story of *Judah* and *Tamar*, p. 85. You had just written down the very words of Gen. xxxviii. 24, where “ *they who told Judah that she was with child by whoredom*” call her his *daughter-in-law*—how so?—why, she had been married to two of *Judah's* sons, *Er* and *Onan*, successively, under the *custom* of the *Levirate*; (which was afterwards enacted into a law, Deut. xxv. 5.) the *remarkable deaths* of *these*, must be too notorious not to be known among the *men of the place*—see ver. 21, 22—as also, that the widow of the *deceased* devolved on *Shelah*, the surviving brother, and, of course, that she was engaged to him (Comp. ver. 11, 14.) so that *Tamar* must, by what she did,

did, appear in the light of a *betrothed woman* who had gone astray, and liable to suffer as an *adulteress*; for, in consideration of law, she was a *man's wife*. (Comp. Deut. xxii. 23, 24.) How is it my *friend* could, with his *Bible* open before him, take no notice of *Tamar's* real situation, as engaged to *Shelah*—represent her on the footing of a *woman that had no husband*—and then call this “a fact standing on record, as full “proof” of what he advances on the subject of *single women*? It may be said of my *friend*—*Quod vult valde vult*.——N. B. Try what you can make of the *maid* that is *not betrothed*—Exod. xxii. 16.—and of the *damsel*—Deut. xxii. 28.—Are these stigmatized as *whores*?

You do me justice, when you say, that I only “defend *polygamy* in some *rare instances*.”—But how can it be *defended* in those *rare instances*, if it be against the *law of God*? Therefore, the purpose of *Thelyphthora*, so far as it relates to the subject, is to prove its *lawfulness*, that, in those *rare instances*, it may be sought to, as a remedy against the manifest *evils* which accrue from an *indiscriminate* and *total* prohibition of it; which I deny to be warranted from *God's word*, and is no better than the effect of men's taking the whole *œconomy*, relative to the *commerce of the sexes*, out of *God's hands* into their own, and of that *false policy*, so deservedly and ably censured by the *Marquis of Beccaria*, in his chapter on *false notions of utility*.—See *Thelyph.* vol. ii. 424, n.

The

The last sheet of this *volume* was sent me to revise, when I received your book: I stop the *press* for the insertion of this Letter to you; which must account for my haste in writing, and for my not being more methodical and accurate in following you through your publication.

My full determination is, to enter into no fresh *controversy* with any body. I shall *read* what may be *written*, and thankfully adopt into any future edition of *The-lyphthora*, such useful *hints* as either my *friends* or *enemies* may occasionally throw out.

My dear Sir, I now take my leave, with assuring you, that I remain your affectionate and faithful (tho' I am sorry I must add, on this occasion, your highly-injured)

Friend and servant,

March 26,
1781.

The Author.

P O S T S C R I P T.

YOU will please to observe, that the references and quotations from *The-lyphthora*, in this Letter, are from the first *edition*; as you do not appear to me to have seen the *second*.

I should

I should have noticed the *question*, which you have so often repeated — “Why write *“Thelyphthora? cui bono * scribere?”*—I answer—*pro bono publico*—To check the overflowings of *adultery* and *prostitution*—to establish the *means* of doing this on the *basis* of the *divine law*—to set forth *that law*, as revealed in the *Bible*—to contend for its *wisdom*, *holiness*, *purity*, and *justice*—to shew how the *responsibility* which that *law* establishes between the *seducer* and the *seduced*, would tend to curb the *licentiousness* of what is called *gallantry*, and, of course, to prevent the *ruin of women*, with all its fearful appendages—to assert that *unrivalled sovereignty*, and *untroutable supremacy* of JEHOVAH, which *mortals* have dared to dispute with Him for so many *ages*, by setting aside His *laws* relative to the *commerce of the sexes*, and substituting their own *inventions*—to point out, from *deductions* drawn from undeniable *facts*, and from the most incontestible *proofs*, the *mischiefs* of that *irresponsibility* of MEN to WOMEN, and of WOMEN to MEN, in *instances* of the most *important* concern to BOTH, but more especially to the *weaker sex*—to recommend it to the *legislature* to take these matters seriously under their consideration, and, being thus apprized of the *mischiefs* and its *remedy*, if *times*, *circumstances*, and the *situation of things* will not enable them to adopt the *whole* of the *plan* proposed, yet to adopt

* N. B. This is not my *Latin*.

as much of it as shall be found *practicable*.— That *something ought to be done*, none can DENY. — The *book* which you censure, has endeavoured to point out what *may be done* — and it must be left to the *wisdom, humanity, and discretion of the powers that are in this Christian land*, to determine what *shall be done*.

Though I am *at present* so circumstanced as not to be able to add any more, yet, *my friend*, you will probably find, that *forbearance is no acquittance*; and on a *future occasion*, your *explanation* of 1 Cor. vii. 1—10. or (as you express yourself) your—“*affront put*” on the clear and plain language of the “*apostle*, where every word carries with it “*perspicuity and conviction*” (which, by the way, is saying a good deal, on a passage of scripture which, from the different interpretations it has received from *commentators*, seems to be one of the most *dark and difficult* parts of St. Paul’s writings, especially as we are not possessed of the *letter* written to him by the *Corinthians*) may probably meet with *due observation*. The *confidence* with which you treat this *scripture*, as you do *others*, singly on your *own* authority, without calling in aid or quoting a single *commentator, historian, or other author*, to justify your *peremptory* determinations on the sense of words—wherein you contradict some of the *greatest, best, and most learned* men that ever lived—shews how far your *zeal* has outrun your *discretion*, and the

the impetuosity of your *imagination*, the sober dictates of due *consideration* and *reflection*.

The light in which I shall find myself obliged, in justice to the *public* (to say nothing of *Thelyphthora*) to place you, as a *critic* and a *philologist*, will hardly be more disagreeable to yourself than to the *author*—but be it remembered, Sir, that, happen what may, you have nobody to thank for it but yourself.—I heartily wish, that the “*sense*” which you express (p. 148.) “*of the deficiency of your own abilities*” (at least so far as a controversy which depends on the knowledge of the *original* scriptures is concerned) had been as *REAL* as you profess it to be—you would then have left it to *others* to attack your *own friend*, while you had been following the *apostle’s* advice (1 Thess. iv. 11.) *Study to be quiet*.

I think the *CARICATURAS* which you have imagined for the *fair sex*, in the *strange* stories which you have *invented*, and exhibited for the *entertainment* and *edification* of your readers, (the *wit* of every one of which contains a very strong *sarcasm* on the *Mosaic* law) represent the *ladies* in such a light of *vengeance* and *assassination*, and, in short, as such a set of *FURIES*, as to outdo, if possible, the *three* famed *daughters* of *ACHERON* and *Nox* :—these tormented *other people*, but *your’s* even *hang themselves* into the bargain.—However, put some *snakes* on their *heads* in your next edi-

tion, and then they may pass for the lineal
descendents of ALECTO, MEGÆRA, and TISI-
PHONE. I marvel not that *my friend* has
still to complain with *Horace*,

MARTIIS COELEBS QUID AGAM CALENDIS?

N. B. I did not receive your *book*, till
FRIDAY, MARCH 23d.

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